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1603-1642

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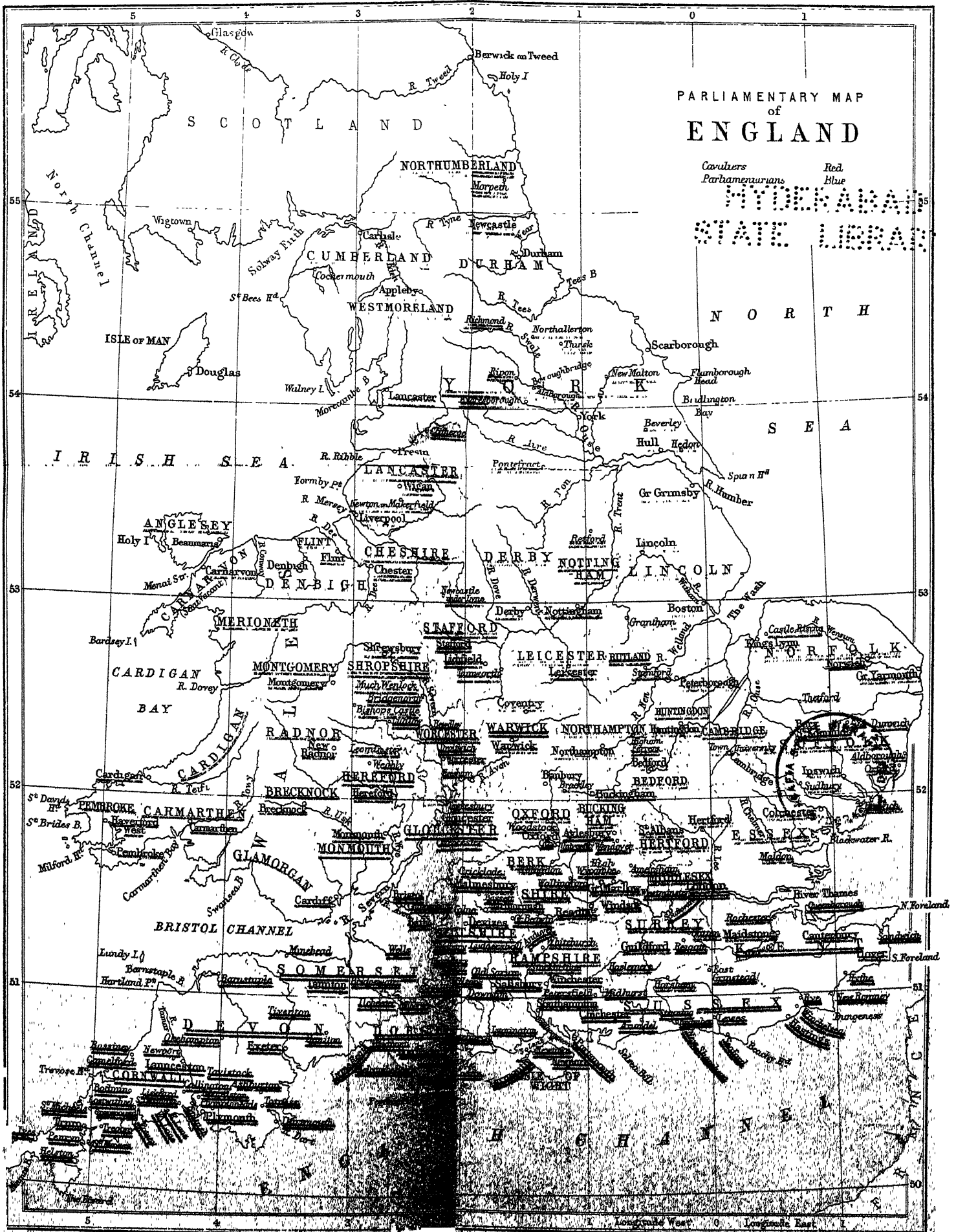
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HISTORY OF ENGLAND

FROM THE

ACCESSION OF JAMES I.

TO

THE OUTBREAK OF THE CIVIL WAR.

1603-1642

BY

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IN TEN VOLUMES

VOL. X.

1641-1642

WITH GENERAL INDEX TO THE TEN VOLUMES

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CONTENTS

OF

THE TENTH VOLUME.

CHAPTER C.

THE FORMATION OF PARTIES.

	PAGE		PAGE
1641 Proceedings of the Commons after the King's departure	1	Charles angry with Hamilton	22
A Committee of Defence named	2	Project of arresting Argyle and Hamilton	23
England left without a government	3	Flight of Argyle, Hamilton, and Lanark	25
The first Parliamentary ordinance	4	Struggle between Charles and the Parliament	26
The King arrives at Edinburgh	5	Charles's intentions with regard to the English leaders	27
Disbandment of the armies	6	He attempts to gain a party in England	28
Charles negotiates with the Irish Catholics	7	Growth of fanaticism	29
Possibility of a reaction in England	9	Rising feeling against the sects	30
End of unanimity in the Commons	10	Parliament reassembles	32
Causes of the division	11	The Episcopalian party becomes a Royalist party	32
The Commons' resolutions on ecclesiastical innovations	14	The permanent work of the Long Parliament ended	34
The Lords' amendments	15	Voices raised for toleration	35
Order of the Lords that service be performed according to law	16	Brooke's <i>Discourse on Episcopacy</i>	35
Antagonism between the two Houses	17	The second Bishops' Exclusion Bill	37
Adjournment of the Houses	18	Opposition to Pym	38
Charles at Edinburgh	18	The King's manifesto	39
Dispute about the appointment of officers in Scotland	19	The fundamental conditions of government misunderstood	40
Disappointment of Charles	20	Promotions to the vacant bishoprics	41
Scottish feuds	21	Plots and intrigues	42

CHAPTER CI.

THE IRISH REBELLION AND THE GRAND REMONSTRANCE.

	PAGE		PAGE
1641 Retrospect of the Ulster plantation . . .	43	Its list of grievances . .	60
The projected plantation of Connaught . .	44	Its plan of Church reform . . .	62
Rule of the Lords Justices . .	45	The demand for a responsible Ministry . .	63
Toleration for the Catholic religion asked for . .	46	Slaughter of Protestants in Ulster . . .	64
The Church question and the Land question . .	47	The fugitives from Belturbet . . .	66
Leaders of the Irish peasants . . .	48	Further outrages . . .	67
Alarm in Ireland . . .	49	Reception of the news at Westminster . . .	69
Proposal to seize Dublin Castle . . .	50	Proposal to send relief to Ireland . . .	69
The plot betrayed . . .	51	The City declares for Pym . .	70
Weakness of the English army . . .	52	Progress of the Remonstrance . . .	71
Dublin saved . . .	53	The supposed Popish Plot . .	72
Beginning of the Ulster rebellion . . .	53	Evidence of the second Army Plot . . .	73
Votes of the English Parliament . . .	54	Preparations for the final debate on the Grand Remonstrance . . .	74
Pym's additional instruction . . .	55	A long debate . . .	75
Revolutionary character of his proposal . . .	57	The Remonstrance passed . .	76
Necessity of his action . .	58	Tumultuous scene . . .	77
The Grand Remonstrance taken up . . .	59	Significance of the Remonstrance . . .	79

CHAPTER CII.

BALANCED FORCES.

1641 Charles's surrender in Scotland . . .	80	Constitutional questions raised . . .	90
His intentions . . .	81	Bearing of the Irish rebellion on English politics . .	91
He hopes to gain the City of London . . .	82	Alleged understanding between Charles and the rebels . . .	92
His entry into London . .	84	Warning conveyed by the Commons to the Peers . .	94
Dispute over the Parliamentary guard . .	86	The Impressment Bill . .	95
Suspensions that some members were to be charged with treason . . .	87	The first Militia Bill . .	95
The Remonstrance taken to the King . . .	88	Progress of the Irish rebellion . . .	96
Charles's passive resistance . . .	89	Declaration of the Commons against toleration . .	97

	PAGE		PAGE
The King's proclamation on religion . . .	98	fused to members of the Commons . . .	102
He demands modifications in the Impressment Bill . . .	99	Further discussions on the Impressment Bill . . .	103
The Remonstrance printed . . .	100	Puritans and Episcopalians . . .	104
A petition for a National Synod . . .	101	Separatist congregations in London . . .	105
Right of protestation re-			

CHAPTER CIII.

THE ATTEMPT ON THE FIVE MEMBERS.

1641 The King's intentions . . .	107	1642 Culpepper and Falkland in office . . .	127
The new Common Council . . .	107	Alleged intention of the Parliamentary leaders to impeach the Queen . . .	128
The King appoints Lunsford Lieutenant of the Tower and replies to the Remonstrance . . .	108	The charge against the five members . . .	129
Displeasure of the Commons . . .	110	The five members impeached . . .	130
Newport asked to take charge of the Tower . . .	111	Hesitation of the Lords . . .	131
Lunsford dismissed—Discouraging news from Ireland . . .	112	The Commons appeal to the City . . .	132
Terms offered by the Irish Catholic Peers . . .	113	The arrest of the members demanded . . .	132
Sir Charles Coote at Clontarf . . .	114	Charles prepares to use force . . .	133
The Lords of the Pale join the Ulster rebels . . .	115	The secret betrayed . . .	135
The rebellion spreads to Munster . . .	115	Armed men at Whitehall . . .	136
Charge brought against Bristol . . .	116	The King sets out from Whitehall . . .	137
Riots at Westminster . . .	117	Escape of the five members . . .	138
Most of the bishops absent themselves from Parliament . . .	118	Charles enters the House of Commons . . .	139
Digby moves that Parliament is not free . . .	119	He leaves the House . . .	141
Charles gives a dinner to the officers . . .	120	Charles in the City . . .	142
Cavaliers and Roundheads . . .	121	The Committee at Guildhall . . .	143
Charles sets a guard at Whitehall . . .	122	The legal question discussed . . .	144
The protest of the bishops . . .	122	Impossibility of a compromise . . .	145
The Lords side with the Commons . . .	123	Panic in the City . . .	147
Civil war feared . . .	124	The Commons guarded by the citizens . . .	148
Impeachment of the bishops . . .	125	Charles is anxious for the Queen's safety . . .	149
Attempt of the Peers to mediate . . .	126	The King and Queen leave Whitehall . . .	150
		Triumphant return of the Commons to Westminster . . .	151

CHAPTER CIV.

THE STRUGGLE FOR THE MILITIA.

	PAGE		PAGE
1642 The King's plans for the occupation of Hull . . .	152	The Royal assent given to the Bishops' Exclusion Bill . . .	166
Hotham ordered by Parliament to occupy Hull . . .	153	Digby's intercepted letter . . .	167
Digby and Lunsford at Kingston . . .	154	The Queen leaves England . . .	168
Parliament resolves that the country must defend itself . . .	155	Hyde's constitutional views . . .	169
The King hopes to gain possession of Portsmouth . . .	156	Charles's plans . . .	170
Heenvliet's mediation . . .	157	The King asked to remain near Westminster . . .	171
The King's overtures to Parliament . . .	159	The kingdom to be put in a posture of defence . . .	171
The Commons demand the fortresses and the militia . . .	160	Charles refuses to abandon the militia . . .	172
Resistance of the Lords . . .	160	Confiscation of Irish land . . .	173
The militia ordinance . . .	161	The siege of Drogheda . . .	174
The artificers' petition . . .	162	The misery of Ireland . . .	175
The Lords agree with the Commons to ask for the fortresses and the militia . . .	163	The Commons claim supreme power for Parliament . . .	176
The Bishops' Exclusion Bill passes the Lords . . .	163	Danger from foreign forces . . .	177
The King's vexation . . .	164	The Queen's designs . . .	177
The Lords - Lieutenants named by Parliament . . .	165	Charles at York . . .	178
		The Kentish Petition . . .	179
		Milton's argument on ecclesiastical jurisdiction . . .	180
		The rival schemes for the settlement of the Church . . .	182

CHAPTER CV.

THE EVE OF THE CIVIL WAR.

1642 Parliament no longer represents the nation . . .	184	The King's Militia Bill in the Commons . . .	191
Warlike preparations . . .	184	Hotham refuses to admit the King into Hull . . .	192
The declaration of the Houses on Church reform . . .	186	Currents of opinion in Yorkshire . . .	193
The King announces his intention of going to Ireland, and offers a Militia Bill of his own . . .	186	Scotland refuses to help the King . . .	194
The Queen hopes for help from the Dutch and from Denmark . . .	187	Military preparations . . .	195
She urges Charles to seize Hull . . .	189	The Nineteen Propositions . . .	196
Charles appeals to the law . . .	189	The meeting on Heyworth Moor . . .	199
		Sovereignty claimed by Parliament . . .	200
		Ordinance for bringing in plate, money, and horses . . .	201

THE TENTH VOLUME.

ix

	PAGE		PAGE
The King's commissions of array	202	Fresh Royalist movements	210
Scotland again refuses to help the King	203	Essex appointed General .	211
Charles is disappointed of help from abroad	203	Digby's intrigue with Hotham	211
The King and the Peers with him protest that they do not intend war .	204	The King's second failure to occupy Hull	212
Henry Hastings in Leicestershire	205	His answer to the Petition of the Houses for an accommodation	213
Occupation of Newcastle .	206	The first blood shed	214
Munificence of the Herberts	207	The declaration of Parliament of its reasons for taking up arms	215
Parliamentary troops ordered to Leicestershire .	208	Active preparations on both sides	216
The fleet lost to the King .	208	The King summons Coventry	218
A Parliamentary army to be raised	209	The Royal Standard raised at Nottingham	219

APPENDIX.

I. FINANCIAL TABLES	221
II. CASES OF MINISTERS SUSPENDED OR DEPRIVED BY THE COURT OF HIGH COMMISSION, FEBRUARY 18, 1634, TO MAY 19, 1635 .	224
INDEX	227

MAP.

PARLIAMENTARY MAP OF ENGLAND	To face Title-page
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HISTORY OF ENGLAND.

CHAPTER C.

THE FORMATION OF PARTIES.

As the first result of the King's departure the Root-and-Branch Bill was tacitly dropped.¹ It was no time to rouse party feel-

1641.
Aug. 10.
The Root-and-Branch Bill dropped.
ing, and there was no hope that, even if the Bill could be got through the Lords, it would receive the Royal assent. The energies of the Houses were directed to the provision of money, in order that

Aug. 12.
The armies to be got rid of.
both armies might be got rid of as soon as possible. It had been arranged that the Scots were to receive 80,000*l.* of the Brotherly Assistance immediately, and that on August 25 they should cross the Tweed. September 7 was set apart as a day of public thanksgiving for the conclusion of peace.²

Parliament was anxious to keep the Scots in good humour. It was also anxious to keep a watch on the movements of the King. It was resolved that Parliamentary Commissioners should follow him to Scotland, nominally to see to the execution of the treaty, but in reality to see that Charles was not playing tricks. So suspicious were the Commons that they took no notice of the King's offer to issue a general pardon. They were afraid lest it might be interpreted as shielding Finch and

¹ On the 12th there was an order to go into committee on it on the 16th, but it was not acted on.

² C. *ſ.* ii. 253.

Windebank, Percy and Jermyn, from the merited punishment which would fall on them if they returned to England.¹ They rather determined to deter the officers in the North from joining the King in any fresh scheme of violence, by declaring Suckling, Percy, and Jermyn to have been guilty of treason.² They again directed the preparation of the Remonstrance of the state of the Church and Kingdom. They would appeal to the people against the King. Nothing, however, was done in this direction for the present. Perhaps it was felt that the time needed more active measures. On the 13th Captain

Aug. 13.

Chudleigh, who had served as intermediary between Suckling and the troops in the first Army Plot, was examined at length, and deposed that he had been informed that a thousand horse were to be maintained by the clergy in support of the design.³ That such a plan should have been talked of in March was enough to increase the alarm of those who heard of it in August. On the 14th a committee—

August 14.
A Committee
of Defence.

the Committee of Defence, as it was called—was appointed to direct the attention of the Lords to the state of the Tower and other fortresses, 'and to take into consideration what power will be fit to be placed, and in what persons, for commanding of the trained bands and ammunition of the kingdom.' The future Militia Bill was already foreshadowed in these terms of reference. Falkland and Culpepper sat on this committee by the side of Pym and the younger Vane. There was an Episcopalian party in the House, but there was no Royalist party as yet.⁴

All ears were open for tidings from the North. Some weeks before, Holland had been appointed Lord
Holland in
the North. General in Northumberland's room, and had been sent down to Yorkshire to take measures for the disbandment of the army. It has been said that he was out of temper with

¹ Giustinian to the Doge, Aug. 23, *Ven. Transcripts*. L. J. iv. 365.

² Moore's Diary, *Harl. MSS.* ccclxxix. fol. 148 b.

³ Bishop Hall denies that the clergy had any such project; but it does not follow that it was not suggested by Suckling or Jermyn.—*Letter to W. W.* (E. 158).

⁴ C. J. ii. 257.

the Court in consequence of the refusal of the King to grant him the nomination of a new baron, which would have placed a few thousand pounds in his pocket.¹ On the 16th an enigmatical letter written by him to Essex, in which the

Aug. 16.
Reading of a
letter from
him.

Report from
the Com-
mittee of
Defence.

existence of danger was not obscurely hinted at, was read in both Houses.² The immediate result was a report from the Committee of Defence, recommending that 'some authority should be given to some person, in the absence of the King, to put the kingdom in a state of defence.'

Charles, in short, had left England without a recognised Government. The Elector Palatine, Lennox, and Hamilton had alone accompanied him on his journey. The Privy Council, with all its varied elements, had none of Charles's confidence, and was utterly incapable of acting with decision in any one direction. A body of commissioners, indeed, had a limited authority to pass certain Bills, but there was not even a Secretary of State to carry out the King's orders, as Vane joined the King in Scotland not long after his arrival. One of the clerks of the Council, Edward Nicholas, a diligent and faithful servant, remained behind, with orders to forward news to Edinburgh, and to carry out any instructions that he might receive; but he was in no position to command authority. The Queen, having conducted her mother to the sea-coast on her way to the Continent, had returned to Oatlands, angrily brooding over her fallen fortunes. She declared that, unless times changed, she would remain in England no longer.³

Suggestion
that Parlia-
ment can
re-sue ordi-
nances.

Before the end of the day on which Holland's letter was read, a suggestion was made in the House of Commons, which led to a far more daring innovation on established usage than anything that had yet been done. A difficulty had arisen in procuring formal authority for the Parliamentary Commissioners who were to

¹ *Clarendon*, iv. 2.

² *The Lord of Holland's Letter from York*, 1621, 100.

³ Giustinian to the Doge, Aug. $\frac{20}{30}$, *Ven. Transcripts*, R. O.

proceed to Edinburgh nominally to treat with the Scottish Parliament. The Lord Keeper was asked to pass their commission under the Great Seal. This Lyttelton positively refused to do without directions from the King. A proposal was made to order him to do it. D'Ewes—who earlier in the session had discovered that, though it was immoral and irreligious to pay interest, it was perfectly innocuous to pay damages—now informed the Commons that, though the Houses could not make the order which was proposed, ‘an ordinance of the two Houses in Parliament’ had always been of great authority; and he then cited from the Rolls of Parliament an ordinance of the year 1373.¹ It is true that the citation had no bearing whatever on the point in question, as the ordinance of 1373 had been made by the King, though it had been announced to Parliament in answer to a petition of the Commons.²

The House caught at the idea, and the first ordinance of the Long Parliament was sent up to the Lords. On the 20th the Lords adopted it. From henceforth the term ‘ordinance’ would be taken to signify, not, as it had done in the Middle Ages, a declaration made by the King without the necessary concurrence of Parliament, but a declaration of the two Houses without the necessary concurrence of the King.³

As far as this first ordinance was concerned, the assumption of authority by Parliament was not very outrageous. It conveyed to Bedford and Howard of Escrick, in the name of the Lords, to Fiennes, Armyn, Stapleton, and Hampden, in the name of the Commons, authority to attend his Majesty in Scotland, in order to present to him the humble desires of the two Houses according to certain annexed instructions. Parliament did no more than appoint a com-

Aug. 20.
The first
ordinance.

Its charac-
ter.

¹ D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 32 b.

² It was ‘faite en mesme le Parlement,’ which perhaps led D'Ewes astray, but it was on the petition of the Commons, and the last clause begins ‘Mes voet le Roi.’—*Rolls of Parl.* ii. 310.

³ Professor Stubbs, to whom I naturally applied on the subject, informs me that he is unable to recollect any case in the Middle Ages in which ordinances were made by the two Houses without the Royal authority.

mittee to reside in Scotland, instead of appointing one to meet at Westminster ; but the idea that the Houses could act alone, when it had once been thrown before the world was certain to gather strength. It would not be long before the House would grasp the reins of executive government which the King had dropped in his pursuit of military support.¹ Practically, indeed, this had been already done. The Houses shrank from ordering the Lord Keeper to set the Great Seal to a commission,

but they had not shrunk from ordering Holland to secure Hull and that store of munitions which had been gathered there to supply the army in the last war, or from ordering Newport, the Constable of the Tower, to take up his residence in that fortress, and to see that it was safely guarded.²

That these measures were taken against the King there can be no reasonable doubt. They were the same in kind as those which brought about the Civil War in the following year. Yet they passed both Houses without the faintest opposition.

The excited feeling of apprehension which had given birth to these measures, did not last long. It was soon known that the King had passed through both armies without causing any stir amongst them. At Newcastle he had been mag-

nificently entertained by the Scottish commanders, had reviewed their troops and had expressed his high satisfaction at their military bearing. To Leslie he was especially courteous, and he promised an earldom to the rough soldier of fortune.³ It was not on an immediate military revolt that Charles was calculating. He knew that he must satisfy the Scottish Parliament before those sturdy peasants would draw sword in his cause.

On the 14th Charles rode into Edinburgh. On his first visit to the Parliament he offered to touch with the sceptre, and so to convert into law, all the Acts which he had so long resisted, and was somewhat disappointed to find that at least a show of more mature consideration was

Aug. 13.
The King at
Newcastle.

Aug. 14.
He arrives
at Edin-
burgh.

¹ *L. J.* iv. 372.

² *Ibid.* 367, 369.

³ Vane to Nicholas, Aug. 14, *Nicholas MSS.*

required by formality.¹ Before many days passed he was allowed to perform this part of his work with as cheerful a countenance as he was able to assume. Now that the Scots had all that they wanted, he might expect something from them in return. One man, on whom he had counted, was no longer able to render him any aid. Aug. 17. Ratifies the Acts. Rothes died in England on the 23rd.² Still Charles wrote to the Queen in high spirits. Everything appeared to him to be going well. Leslie's professions of service had been all that could be desired.³ For the first time in his life Charles laid himself out to win the affections of the people. He diligently attended the Presbyterian service, and listened without wincing to Presbyterian sermons. Henderson was as constantly at his side as Laud had been in the days of his power.⁴ It was much in Charles's favour that his coming had been coincident with the termination of military effort. "This kingdom," wrote Vane, "speaks of nothing with so much heartiness as of the blessedness of this peace and of the joy and comfort thereof!" The English army was at last slowly disbanding—as quickly, at least, as money could be furnished. The Scottish army broke up from Durham and Newcastle. On The English army begins to break up. the 25th Leslie re-crossed the Tweed. The northern counties were glad to see the last of the hungry strangers, who had quartered themselves on them so long. The Scots, too, were glad to be on the tramp for home. It was, indeed, proposed that a force of 4,000 foot and 500 horse should be kept under arms till the English troops were entirely paid off, and Charles's hopes of military assistance. Charles found grounds for believing that a still larger force would be placed at his disposal. He wrote to the Queen that the Scots had resolved to maintain in his service 5,000 foot and 1,000 horse, to be used wherever he

¹ The Elector Palatine to the Queen of Bohemia, Aug. 17, *Forster MSS.*

² Nicholas to Vane, Aug. 24, *Nicholas MSS.*

³ Giustinian to the Doge, Aug. 27, Sept. 6, *Ven. Transcripts, R. O.*

⁴ Vane to Nicholas, Aug. 23, *Nicholas MSS.*

wished, and against any enemies that he might choose. If these were not enough he should have more. Charles added that he had gained over, by assurances of office and promotion, those who had been his bitterest enemies. "This," he wrote, "will be enough to dispose them to support my interests with all their power, and to make them depend on me without exception."¹

Charles's hope of support from the Scottish Presbyterians was accompanied by a continuance of his hope of support from the Irish Catholics. Twice had messengers crossed the sea with communications from the King to Ormond and Antrim, the one of them a Protestant royalist of Strafford's school, the other a weak and inefficient Catholic peer. These two were to gather into one body the Irish army which was being disbanded, and to seize Dublin Castle in the King's name by the authority of the Irish Parliament, in order to make it a basis of operations against the Parliament at Westminster. The Irish Catholics, it was hoped, would be easily won to the royal cause by the grant of religious liberty.²

¹ The King's letters to the Queen have been lost, but Giustinian reports of this one that it stated that the men were to be offered to Charles 'da valersene dove e contro chi troverà più agguistare la propria convenienza con una generale esibitione in appresso di prontamente somministrarle quel numero di gente maggiore che l'occasione ricercasse.'—Giustinian to the Doge, ^{Aug. 27,} ^{Sept. 6,} *Ven. Transcripts, R. O.* Giustinian was on good terms with the Queen.

² The evidence for this has hitherto been a statement made by Antrim in 1650, printed in Cox, *Hibernia Anglicana*, App. xlix. The King is there said to have sent two messages: the one whilst the Irish Parliament was sitting, that is to say, between May 11 and Aug. 7; the second when he was at York, or about Aug. 12. The chief difficulty in accepting the story has been the occurrence of Ormond's name in it. There seems, however, to have been an impression amongst the Irish after the rebellion that he ought to have been on their side. The author of the *Aphorismical Discovery* (i. 12) says that 'my Lord of Ormond, though then a Protestant, was one of seventy-eight persons sworn to secure each his town or fort,' and he afterwards (ii. 21) speaks of him as a traitor to the Irish cause, 'unmindful of his sworn covenant, and ungrateful to His Royal Majesty.' It will be seen that there is evidence of a third message sent from Scotland. Ormond may have been willing to support the King's authority against the

Of this wonderful scheme Charles's most faithful servants in England knew absolutely nothing. The confidential letters which he received from Nicholas pointed to a very different course of action. Let the King do all in his power to hasten the disbandment of the armies. By this he would make it evident that he had no intention of trusting to the employment of military force.¹ Nicholas understood that the only path of safety for Charles lay in gaining the sympathies of his English subjects.

Even in England there were symptoms that the tide of feeling, which had been running so strongly against Charles, was on the turn. Nothing was generally known of the wild projects which he had carried with him on his northern journey. What was known was that he had passed through both armies without appealing to them for

English Puritans, and to accept religious toleration for the Irish Catholics. He never looked favourably on the cruelties exercised on them after the rebellion. As to the negotiation in general, it is placed beyond doubt by Rossetti's survey of the whole affair. The King, he says, had met with universal disobedience in England and Scotland. "L'Hibernia sola pareva che godesse qualche riposo, e per esser numerosa de' Cattolici si mostrava per conseguenza più fedele à S. M^{ta}. Vedendo dunque il Rè lo stato nel quale si trovava, si risolse di far il matrimonio col Principe d' Oranges, di dove sperava haver aiuti di danari, et di gente, con valersi de' Cattolici, de' Protestanti, e di qualunque altro che industriosamente havesse potuto guadagnare al suo partito. Gli fu insinuato che l'Hibernia, come più Cattolica, e conseguentemente fedele, l'havrebbe servito, et in caso d'avvantaggio della Religion Cattolica, poteva egli similmente sperare altri aiuti, et all' hora furono introdotti i maneggi della libertà di coscienza, et anco dell' istessa sua conversione. Si applicò a quella, et a questa si voleva tempo a deliberare. Per tanto si cominciò a pensare all' Hibernia, si che sotto altri pretesti, vennero di là deputati, e secretamente si negotiò di permettere à loro la libertà di coscienza, quando fedelmente havessero voluto aderire al partito di S. M^{ta}. Rappresento ciò di certo a V. Em^{za}, perche la Regina degnò di dirmelo, e più volte mi fu affermato dal Padre Filippo, onde si proseguirono i trattati con diverse conditioni, parte delle quali non mi sono distintamente note, poiche solo s'appartenevano al Rè, cioè di dar loro alcuni magazini e commodità, ma ho ben certezza di questa, che era la permissione della libertà di coscienza."—Rossetti to Barberini,

Jan. 23, 1642, R. O. *Transcripts*.
Feb. 2

¹ Nicholas to the King, Aug. 23, *Evelyn's Memoirs*, ii. Part ii. 4.

assistance. The natural result was that those of the Parliamentary leaders who had learned enough to predict evil were looked on as scared alarmists, who might have been trying to trouble the waters for their own ambitious ends. Other causes came to weigh in the balance against them. Never within the memory of man had the country been called on to bear such a pressure of taxation. Six subsidies had never before been granted in a single session, and after the six subsidies had come the poll-tax, the amount of which would not be far short

Great weight
of taxation.

of six subsidies more. The whole may perhaps be estimated at somewhere about 800,000*l*. Payments were slowly and reluctantly made. That mere reluctance to meet taxation which had done so much to support the opponents of the King in the days of ship-money, had shifted round to the King's side now. There was a longing for peace,

Aug. 30.
The Scots'
departure
known in
London.

for a cessation of strife at home and abroad. On the 30th it was known in London that the Scots had really evacuated the northern counties. The news was received with a hearty feeling of relief. His Majesty, it seemed, had been maligned. He had no intention of leading the Scottish army to dissolve his English Parliament and to enable him to pronounce its past legislation null and void.¹

Of this change of feeling Charles was unable to take advantage. He was far away, scheming how to use that very

Effects of
Charles's
absence.

Aug. 24.
More ordi-
nances.

violence which would make him most detestable to his subjects. He was not even present to keep up that show of authority which might one day be converted into real power. The Houses were accustoming themselves to the issue of ordinances. On the 24th there was one directing certain counties to send their poll

¹ As Giustinian puts it, the citizens abandoned their jealousy that the King was trying to persuade the Scots 'a secondare il corso delli generosi proponimenti che universalmente si crede portare nel petto la Maestà sua di scuoter cioè il giogo delle nuove leggi, et la continuatione di questo Parlamento in particolare, la qual gli toglie gli ornamenti del comando, et della esistimatione intieramente.'—Giustinian to the Doge, Sept. $\frac{3}{13}$, *Ven. Transcripts, R. O.*

money direct to the Earl of Holland. On the 27th another appointed a day of thanksgiving for the peace. On Aug. 27. the 30th yet another ordered a general disarmament Aug. 30. of recusants. If Charles's language can be trusted he was more annoyed at the interference of Parliament with a permission which he had given to the Spanish ambassador to transport abroad 4,000 men of the Irish army, which The Irish levies for Spain re- was at last being broken up. The Commons insisted fused. that it was unfitting to lend help to Spain against the Portuguese ; and, to keep the balance even, they refused a similar permission to the French ambassador. Two months later they would have been glad enough to know that these trained soldiers were not in Ireland ; but the motive of their refusal, in the face of their own obvious interest, deserves the highest respect.¹

By this time a speedy adjournment had become an absolute necessity. The plague and the small-pox were raging in London and Westminster, and even the most earnest of Aug. 28. members was thoroughly weary of the long and ex- An adjourn- citing work in which the House had been engaged. ment voted. Most of the members, indeed, had already gone home without asking leave. About a dozen peers remained to represent the House of Lords, whilst some eighty remained constant to the call of duty in the Commons.² On the 28th, when all danger appeared to be at an end in the North, it was arranged that the House should adjourn on September 8, to meet again on October 20.

The day on which the adjournment was voted was indeed memorable in English history. It was the last time when the two parties into which the House of Commons End of unanimity in the Commons. was divided loyally co-operated with one another. Whatever had been done so far by the Long Parliament stood the test of time. The overthrow of the special courts, by which the prerogative had been defended under the Tudors and the first two Stuarts, together with the abandon-

¹ *L. J.* iv. 381.

² Giustinian to the Doge, Sept. $\frac{3}{13}$, *Ven. Transcripts*, R. O.

ment by the King of all claim to raise taxes without the consent of Parliament, was accepted as the starting-point of the restored monarchical constitution in 1660. That the King and the Houses must from thenceforward work together, instead of working in antagonism, was the doctrine of Hyde and Falkland as well as of Pym and Hampden. The theory of Strafford, that in cases of necessity, of the existence of which the King was the sole judge, he could act in defiance of Parliament, was without a single supporter. Yet from that moment of apparent unanimity dated the beginning of embittered strife. The war of tongues which ensued preceded but for a few short months the war of the sword. Laboriously, in the face of an angry and compact Opposition, the victorious party strove to embody its views in institutions which would last. It was all in vain. The ropes twisted of sand which were to bind the English people dropped into nothingness before the general resistance.

Naturally historians have wearied themselves to find the key of this riddle. Was it, as has been said, that the leaders of the majority were too impatient, that they were in a hurry to obtain absolute control over the government, and that they did not give time to allow the results of the recent concessions to develop themselves peacefully? Was it that the leaders of the minority thought that enough had been done in the way of reform, and that Charles could be trusted to carry on the government constitutionally under changed conditions? Those who have studied the Parliamentary debates of the first fortnight after the commencement of the King's northern journey will be slow to adopt either of these conclusions. The men of one party were as ready as the men of the other to put pressure upon the Sovereign, to make preparations for securing the fortresses of the kingdom and for placing the military forces of the country in readiness for action at the bidding of the Houses. If no question other than the constitutional one had been at issue, or if the danger from Scotland had been a little more evident and had lasted a little longer, Lords and Commons would have passed with complete unanimity

Beginning of
strife.

What was
the root of
the mischief?

Unanimity
in face of
the constitu-
tional
question.

such a Militia Bill as that which was but the triumph of a party six months later, as surely as they had already concurred in supporting Pym's proposal for the substitution of counsellors approved by Parliament for counsellors selected by the King. The history of the next few years would, if the King had not yielded entirely, have resembled that of 1688. Charles would have been swept away by the uprising of a united people. There would have been no Civil War, because the courtiers, who would alone have stood by the King, would not have been sufficiently numerous to wage war against the nation.

The rock of offence lay in the proposed ecclesiastical legislation of Parliament. It was not in the nature of things that religious questions should be allowed to slumber. For the mass of Englishmen, religious belief was their only intellectual food, as religious books were their only literature. There were thousands for whom legal and constitutional arguments had but little attraction, who could throw their whole souls into an argument about Presbyterianism or Episcopacy, or about the comparative merits of various forms of worship. A great part of the intellect of the day had been occupied with these very subjects, and Laud and Williams, Milton and Chillingworth, had no peers amongst the writers of literary prose. The peculiarity of this ecclesiastical literature was that it was controversial in its nature. When its successful defence against Rome was over, the innate vigour of Protestantism showed itself in its variations. Free inquiry, rejected in theory by almost all Englishmen, silently pushed its way, and there was scarcely a possible form of Church worship or government which some Englishmen were not ready to defend. Under the most favourable circumstances the difficulty of moulding the ecclesiastical institutions so as to meet the new wants of the time would have required the most consummate prudence. The traditional belief of centuries, held alike by the zealot and the politician, was that religious liberty was but another name for anarchy, and that it was the duty of the State to see that no man was allowed to teach or to worship as seemed right in his own eyes. The difficulty would have been great in any circumstances, but it had been enormously

The religious difficulty.

increased by recent events. Laud's unwise attempt to suppress Puritanism had recoiled on himself, and through him on the nation. The more extreme Puritans were maddened with resentment, and regarded the attack upon the bishops and the Prayer Book as a holy work. Power, they thought, had at last been placed in their hands for the destruction of an ungodly and anti-Christian idolatry. Those from whose moderation much might at other times have been expected could hardly be moderate now. They found themselves face to face with ecclesiastical usages which they detested, and which had recently been imposed on them with the harshest rigour. Was it possible that they should take into consideration religious feelings which they were unable to comprehend, and grant religious liberty to practices which had been as a yoke upon their own necks in the days of the Laudian ascendancy? Social antagonisms were already prepared to embitter the religious conflict. The greater part of the nobility and gentry of England were inclined to look with contempt and loathing upon the claims of yeomen and handicraftsmen to throw off the yoke of authority, whilst the yeomen and handicraftsmen were well pleased to vindicate their independence against the upper classes on the ground of theology, in which they imagined themselves to be masters.

Difficult as it was to find a solution for the questions which arose, it was impossible to leave them unsettled. The Church was falling into anarchy, and its services were being moulded by the hazard of the moment at the will of the strongest. Some law must be laid down, some rule to which all would be bound to conform, whether it were a law maintaining enforced uniformity, or a law in protection of liberty.

If ever a firm hand was needed to take the reins of government, it was at this crisis, when there had ceased to be any

Government at all. What was wanted was a calm
 and statesmanlike mind ready to listen to all claims,
 and to strike the balance between opposing forces.

Charles, if he had had the power, had never had the capacity for such work as this. If it was to be done at all, it must be done by Parliament; and a Parliament, as had been shown in the days of Elizabeth, was less likely than a single mind to do

Need of a
 strong
 Government.

such work worthily. It was more apt to mistake the voice of the majority for the voice of the nation, and less apt to remember that a large minority requires consideration from the mere fact of its existence. That tradition of compromise which is the inheritance of English cabinets had not yet been formed in the days when cabinets were unknown. To make the Church really national, to give within it free play for the religious thought and life which was not too exuberant for its decorum, and to leave room outside for the growth of societies for which even its silken fetters were too oppressive, was the task which the time required. It was the last of which the predominant party was likely to think—it is but fair to add, was the last of which it could be expected to think.

The announcement of the day of adjournment was followed by a feeling of regret in the majority of the Commons, that they should separate without having done anything for religion. It was resolved at least to put an end to Laud's innovations. It was determined that the communion-tables should be removed from the east end of the churches, and the rails taken down; that 'all crucifixes, scandalous pictures of one or more persons of the Trinity, and all images of the Virgin Mary' should be 'taken away,' and 'all tapers, candlesticks, and basins be removed from the communion-table;' that 'all corporal bowing at the name of Jesus, or towards the east end of the church, or towards the communion table be henceforth forborne;' that all dancing and sports be forborne on the Lord's Day, and the preaching of sermons be permitted in the afternoon.¹

If no more than this had been proposed the scheme might have received, if not unanimous support, at least the support of a very considerable majority, in which many of the defenders of Episcopacy would have voted. The waters, however, had been too deeply stirred by the winds of religious controversy to be calmed so easily. A member suggested that it would be well to think of some alterations in the Book of Common Prayer.² Culpepper at

Sept. 1.
Resolutions
on ecclesi-
astical inno-
vations.

Proposal for
altering the
Prayer
Book.

Culpepper's
motion.

¹ C. J. ii. 279.

² *Diurnal Occurrences*, Sept. 1.

once called on the House to provide a remedy against 'such as did vilify and condemn the Common Prayer Book . . . or else he feared it might be the occasion of many tumults in Church and State.' From that moment the party lines were strictly drawn. Behind the controversy on Episcopacy and Presbyterianism lay the controversy on forms of worship—a controversy which came home to every man who cared about religion

at all. The attack upon the Prayer Book by the unnamed member was the commencement of the Civil War. There was now a possibility that Charles might find a party not only in Parliament but in the nation.

In vain Cromwell urged that there were passages in the Prayer Book to which grave and learned divines could not submit. The house was thin, as it had long been, and this day Culpepper had a majority of 18 in a House of 92.

On the 6th Culpepper's resolution came up for further discussion. Pym and his supporters were anxious to confine the censure of the House to those who interfered with the existing service by creating actual disturbance in a church. Culpepper wished to extend it to all who 'depraved' or openly found fault with the Prayer Book, and he again carried his point; but when the final vote was taken, some of his friends held back, and the clause was ordered to be recommitted for further consideration.¹

On the 8th the Lords agreed to the resolution on the removal of the communion-table, but wished that, for the sake of decency, it should still be surrounded with rails in its new position, at least in those churches in which it had been railed in at the east end.² Images of the Virgin which had been erected more than twenty years were to be allowed to stand, and everyone was to be left free to do as he pleased in the matter of bowing. The clause on the Lord's

¹ D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 82 b, 83, 84, 89.

² The cases of persons putting their hats on the table are well known. In a sermon preached in little more than a month after this date, there is mention of a woman who put her baby on the communion-table, with consequences that may easily be imagined.

day was left for consideration on the 9th, the adjournment having been postponed till that day.

Whilst the Lords were thus busy, the Commons took another forward step. They declared it to be lawful for all parishes to set up lecturers at their own charge, and there was no sign that they meant to consult the Lords on this important declaration.¹ It is probable that the Peers took offence at the neglect. On the 9th they laid aside the resolutions of the Commons.²

In a house of twenty it was carried by a majority of eleven to nine, that an order of the 16th of January should be printed and published, to the effect 'that the divine service be performed as it is appointed by the Acts of Parliament of this Realm; and that all such as shall disturb that wholesome order shall be severely punished according to law; and that all parsons, vicars, and curates in their several parishes shall forbear to introduce any rites or ceremonies otherwise than those that are established by the laws of this land.' The Lords not only passed this order, but they refused to communicate their resolution to the Commons. Against this latter resolve six

peers—Bedford, Warwick, Clare, Newport, Wharton, and Mandeville—protested. Lyttelton, Manchester, and Hunsdon voted in the minority, but did not protest.³

¹ C. J. ii. 283.

² In Dover's *Notes*, where the affair is misdated as Aug. 10 (*Clarendon MSS.* 1603), we are told that 'our reasons for proceeding in this manner, before we advised with the House of Commons, was that the very night before they had in their House ordered that very order which is now set forth by them, to be published and printed before they had a conference with us. Query, whether the House of Commons have power of themselves to enjoin the whole kingdom anything which is not settled by the laws?' Dover was clearly mistaken in saying that the Commons published their order about innovations before the division in the Lords. Probably the truth is as I have put it in the text, though there is no actual direction in the *Journals* to print the order about lecturers.

³ L. J. iv. 395. The names of the eleven who formed the majority are given in Dover's *Notes* as Bishop Williams, the Earls of Denbigh, Cleveland, Portland, Dover, Kingston, and Barons Mowbray, Wentworth, Dunsmore, Coventry, and Capel. The names are given somewhat differ-

As might have been expected, the Commons in their turn took offence. D'Ewes said that it was not a fit time to print such an order, 'when all men who loved the truth expected a mitigation of the laws already established touching religion, and not a severe execution of them.'

Feeling in
the Com-
mons.

Yet it was hard to know what was to be done. Pym suggested that a messenger should be despatched to ask the King to revoke the Lords' order by proclamation.¹ The House probably felt that this would not be a hopeful course. It was finally

Both the
resolutions
and the
order to be
published.

resolved that its own resolutions should be published together with the order of the Lords. A commentary was to be affixed, expressing surprise at the thinness of the Upper House when so important a decision had been arrived at. 'So it may still be hoped, when both Houses shall meet again, that the good propositions and preparations in the House of Commons, for preventing the like grievances, and reforming other disorders and abuse in matters of religion, may be brought to perfection.' 'Wherefore,' they

The Com-
mons appeal
to patience.

ended by saying, 'we expect that the commons of the realm, do, in the meantime, quietly attend the reformation intended, without any tumultuous disturbance of the worship of God and the peace of the kingdom.'²

The printing of this declaration was carried without a division. Nothing could have been more conciliatory than the last paragraph. The warning to submit to the law without impatience till Parliament was again in session was conceived in the best spirit of both parties.

For all that, the danger was postponed, not averted. The call to abide by the law which had sounded forth from the

The Lords
appeal to the
law.

House of Lords would be sure to find a response in the nation, if it were coupled with a firm resolve to search out the defects of the existing law, in order to bring it into conformity with the new facts which had arisen

ently in the *Diurnal Occurrences*. Lord Hunsdon was Dover's eldest son, who had been raised to a peerage in his father's lifetime.

¹ This is noteworthy, as showing that Pym did not yet despair of Charles's co-operation.

² C. 7. ii. 287. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 110.

since the law had been made. Otherwise the appeal was no more than a fair show covering the passions of a party.

For the time interest was diverted to the North. On the 9th both Houses brought their sittings to an end, and most of the few members who had been constant to the last were allowed to enjoy a brief and well-earned rest.¹ Each House, however, left behind it a Committee charged to watch the progress of affairs, and to correspond with the Joint Committee which had been ordered to attend the King. That Committee, with the exception of the new Earl of Bedford, who was a less energetic man than his father had been, and who declined to make the journey, had arrived in Edinburgh on August 30. Its leading spirits were Hampden and Fiennes. The King refused to give to its members any authority to treat with the Scottish Parliament, but he could not hinder them from remaining in Scotland to keep watch over his own proceedings.²

To all appearance Charles had at last succeeded in winning the hearts of his Northern subjects. On the day of the arrival of the English Committee, he was entertained at a magnificent banquet in the Parliament House. The Lord Provost drank the health of the King and Queen with the heartiest expressions of loyal devotion. "Over the whole town," wrote an Englishman who was present, "there was nothing but joy and revelling, like a day of jubilee, and this is taken of the union which doubtless is more firm by reason of the happy intervention of the unity of form of religion, at least for the present, and in the King's own practice, which wins much upon this people. Yesterday his Majesty was again at the great Church at sermon, where the bishops were not spared, but such downright language as would a year ago have³ been at the least a Star Chamber business, imputing all that was amiss to ill coun-

¹ It is customary to speak of the period ending here as the first session of the Long Parliament. The term, though convenient, is inaccurate, as there was no prorogation.

² The King to Lyttelton, Aug. 25, *L. J.* iv. 382.

³ The word "have" is omitted in the MS.

Adjournment of the Houses.

The committee to sit in the recess.

Aug. 30. The Committee in Edinburgh.

The feast in the Parliament House.

sellors, and so ingratiating His Majesty with all his people, who indeed show a zeal and affection beyond all expression." ¹

It is easy to conjecture what were the thoughts which arose in Hampden's mind as he looked for the first time on the fair town in the new-found loyalty which had been bought by so

Sept. 3. great and so suspicious a self-surrender. Charles was
Charles full in the highest spirits. "You may assure everyone,"
of confi- he wrote to Nicholas, "that now all difficulties are
dence. passed here." He was not long in discovering that he had been

too sanguine. In Parliament Argyle was relentless in demanding

Demand that offices should be filled up without the approval of Parliament, and Argyle's supporters were in a clear majority in the House. He was not indeed all-powerful. There were many amongst the nobility, besides the imprisoned Montrose, who struggled hard against this new constitutional system, in which a majority of country gentlemen and burghers was to be welded, in the hands of one popular nobleman, into a political force to beat down the power of the great families. They had never intended to throw off the yoke of Charles in order

to become the servants of Argyle. "If this be what you call liberty," said the Earl of Perth, "God send me the old slavery again." ² Charles might choose his own side. He might put himself at the head of the popular party or of the aristocratic party. It needed more decision than he possessed to do either with effect. "His Majesty's businesses," wrote Endymion Porter, "run in their wonted channel—subtile designs of gaining the popular opinion, and weak executions for the upholding of monarchy." ³ Charles himself did not recognise the realities of the situation. He continued to write cheerfully to the Queen. Argyle, he told her, had promised to do him faithful service. Leslie was equally devoted to him, and had driven with him round the town amidst the shouts of the people. ⁴ The Queen, we may be sure,

Sept. 7. Charles's hopefulness.

¹ Bere to Pennington, Aug. 30, *S. P. Dom.*

² Webb to Nicholas, Sept. 5, *Nicholas MSS.*

³ Porter to Nicholas, Sept. 7, *ibid.*

⁴ Giustinian to the Doge, Sept. ²²/₂₇, *Ven. Transcripts, R. O.*

forced to make an apology. The next day he was summoned before the Parliament to give an explanation of his conduct. He came with a following of 600 armed men, and it was only with the greatest difficulty that he was induced to acknowledge that he had been in fault.¹

Nothing had yet been done to bring to a close the dispute about the appointment of officers. Loudoun's nomination to the Chancellorship was at last accepted. For the Treasurer's place the king now named Almond, who had, indeed, been Lieutenant-General of the Army of Invasion, but who had joined Montrose in signing the Bond of Cumbernauld. The Parliamentary majority would not hear of him, and its claim to a direct election of officers was again put forward.

Day after day passed away without bringing an agreement. Around the King passion was waxing fiercer from hour to hour. Montrose, from behind his prison bars, watched the seething angry tide. Twice he wrote to Charles, offering to make revelations of the utmost importance to his crown and dignity. Twice Charles refused to listen to vague accusations. He believed, he said, that a man in Montrose's condition would say much to have the liberty to come to his presence. He had made up his mind to come to terms with the Parliament. On the following day he sent a message to Almond asking him to withdraw his claims to the Treasurership, as Montrose had done before.²

It was only natural that Charles, in making this concession should make it in some ill-humour. It was only natural, too, that his displeasure should go itself on Hamilton, who had promised so much and had performed so little. Lanark's pleadings on his brother's behalf only drew from Charles the cold reply that he believed that he was himself 'an honest man, and that he had never heard any

¹ Wemyss to Ormond, Sept. 25, Oct., Carte, *Original Letters*, i. 1, 5 Balfour, iii. 36.

² Depositions of W. Murray and the Earl of Almond, *Hist. MSS. Com. Report*, iv. 167, 168.

thing to the contrary ; but that he thought ' his ' brother had been very active in his own preservation.' Hamilton, in fact, had escaped the danger of being prosecuted as an incendiary by his new intimacy with Argyle.

The 11th brought a third letter from Montrose. This time he averred his readiness to prove Hamilton a traitor.¹ After some hesitation Charles resolved to lay this letter before certain lords, amongst whom were Argyle and Loudoun, in order that they might advise him on the matter.²

Oct. 11.
Montrose's
third letter.
Proposal to
submit it to
a committee.

So far, at least, Charles had taken the straightforward course ; but it was not one which was likely to commend itself to the wrathful noblemen who thronged around him at Holyrood. In Scotland the traditions of private war had not yet wholly died out. A great nobleman depended somewhat on the arguments of his advocates before the Court of Session, and somewhat on his personal influence with the judges, but still more upon the sharp swords of his retainers. It was rumoured that Argyle and Hamilton had 5,000 armed followers in Edinburgh.³ Those who wished to put an end to the influence of Argyle and Hamilton thought far more of the means of carrying the charge against them to a practical issue than of the accumulation of legal proofs. Behind the veil which still hangs over their proceedings may be dimly discerned efforts to win over such of the soldiery as still remained under arms, and to secure the services of Leslie, in order that there might be no violent interruption of the course of justice. Such, at least, would be the most favourable interpretation of their conduct. How far this intention was communicated to Charles it is impossible to say. But it may be safely inferred that if it was communicated to him at all, he would only hear of it as a plan for vindicating the majesty of the law, and that it was only as such that it would be likely to secure his approval, though it is more probable that

Feeling of
Argyle's
opponents.

Project of
arresting
Argyle and
Hamilton.

¹ Hamilton's name was not mentioned, but there can be no doubt that he was the person in question.

² Murray's deposition, *Hist. MSS. Com. Report*, iv. 167.

³ Colonel A. Stewart's deposition, *ibid.* iv. 164.

he did not give his assent to any definite scheme at all.¹ If, however, he really agreed to act on Montrose's last letter, it is not impossible that orders may have been given to Leslie to effect the arrest of the two noblemen on that very evening.

Almond, at least, is said to have had nothing more than the enforcement of legal proceedings in his mind ; but amongst those who were burning to throw off Argyle's yoke there were hotter brains than Almond's. The Earl of Crawford, the Catholic

head of the house of Lindsay, had served as a soldier of fortune in the German wars on the side of the House of Austria. He had been employed by Charles

to command troops against his native country in 1640, and had been dismissed from the English army by the Parliament on account of his religion. Such a man was not likely to brook the predominance of Argyle and Hamilton. He had talked of stabbing them in case of necessity, and had formed a plan

for inviting them to meet at the King's lodgings, where they were to be seized, hurried down the backstairs, and carried on board a ship which was

lying at Leith. He had entrusted this part of the plot to a certain Colonel Alexander Stewart. On the morning of the 11th this man sent for a cousin of his own, Captain William Stewart, and asked for his assistance in seizing Hamilton. "When you have gotten him," objected the Captain, "they would take him from you." "If it were so," was the reply, "we would make the Marquis desire his friends to stay off till he sustained a censure of what was to be laid to his charge, or else we would kill him, which is the custom of Germany where I have served." In such hands the scheme was slipping from an effort to bring an enemy to justice to a possible assassination.²

¹ Even after the recovery of the depositions it is impossible to speak more precisely. Colonel Cochrane gave evidence to the effect that Murray, when he had inquired about his regiment, added, "You shall be bidden to know nothing but what ye get the general's order for" (*Hist. MSS. Com. Report*, iv. 166). Captain Stewart deposed (*ibid.* 163), after relating Crawford's violent language, that 'the Lord Almond was of another judgment, that they behoved to be challenged by law.'

² Colonel A. Stewart's deposition, *ibid.* iv. 164. The seizure, he

In any case, the plot would probably have been frustrated by the King's reluctance to take violent measures against Hamilton. Even before Montrose's letter was placed in Charles's hands the worst part of the design had been communicated to those whom it most concerned. Captain Stewart had told what he knew to Colonel Hurry, and Hurry gave information to Leslie. Whether Leslie was ready to guard prisoners of high rank or not, he had no mind to take part in a murder, and he passed the information on to the two noblemen who were endangered. Hamilton went to the King, and told him that, as he could not escape calumny, he should leave the Court. Later in the evening he received fuller intelligence of the design against him, and on the following morning Argyle sent a messenger to Charles to tell him all that he had learned. At the same time the Parliament, having been informed of the danger into which two of its leading members had fallen, opened an investigation into the whole affair.

In the afternoon Charles set out for the Parliament House, unwisely allowing himself to be followed by some 500 armed men, in which were to be counted the bitterest enemies of the accused lords. Argyle, together with Hamilton and his brother, Lanark, either believed themselves to be in actual danger, or affected to believe it. Professing their unwillingness to risk a slaughter in the streets, they fled to Kineill, one of Hamilton's country houses.¹

Such was the course of the Incident, as this plot was named at the time. When Charles appeared before the Parliament tears stood in his eyes. He spoke feelingly of his affection for Hamilton, his childhood's friend, and declared—in touching remembrance of that night in which he had shown his confidence in the man who was then accused of said, was to be effected 'if the King was out of the way'—an important statement in the King's favour.

¹ Lanark's account, *Hardwicke S. P.* ii. 299. Hamilton to the King, Oct. 22, *Hamilton Papers*, 103. *Baillie*, i. 392. *Balfour*, iii. 94. The date of the 2nd Oct. in the first-named paper is plainly a misprint for the 11th, which is sometimes written ii. in MSS. of this date.

conspiring to dethrone him, by admitting him to sleep in the same room with himself¹—that had Hamilton been in any real danger he did not think that ‘he could have found a surer sanctuary than in his bedchamber.’ In the end, he asked that the Marquis should be sequestered from the House till the whole mystery had been cleared up, and that he might himself have justice done him by the refutation of the calumnies which had been laid upon him.²

Charles soon found that he had not so ingratiated himself with the bulk of the members as to make them very eager to do him justice. They cared far more about tracking out the plot for the seizure of the fugitive lords. Charles urged that at least the inquiry might be openly conducted before the whole Parliament. The House,

Struggle
between
Charles and
the Parlia-
ment.

¹ See Vol. VII. p. 182.

² I entirely disbelieve Clarendon's story that Montrose offered to kill Hamilton and Argyle. Dr. Burton has argued (*Hist. of Scotland*, vii. 151) against the objection which has been made that Montrose, being in prison, could not have had an interview with Charles; that ‘when great people are involved in deep plots, such and much greater obstacles have to be overcome.’ He forgot that Charles's opponents had the custody of Montrose's person. There is, however, another argument which seems to me to tell against the story of an interview between Montrose and Charles. All the evidence goes to show that Charles took no account of Montrose's first two letters. He could only have sought an interview after the third. That letter was only brought to Charles on the 11th. Montrose certainly could not have been got out of prison till after nightfall, and before nightfall Charles knew that Hamilton had received warning. He was hardly likely to send for Montrose after that. The fact is, there is no real evidence against Montrose. The story as originally told by Clarendon is a plain, straightforward narrative fitting in very well with all that we know of the matter from other sources. Twenty years later, Clarendon substituted another story, and told how Montrose had offered to commit murder. Such a change would be of value if he had had access to fresh evidence. But as all that he knew must have been derived either from Charles or Montrose, there can have been no fresh evidence. My explanation would be that he had a vague recollection of hearing that Crawford had offered to kill Hamilton and Argyle, and that, with his usual habit of blundering, he substituted Montrose for Crawford, just as in giving the names of the persons who suggested that the King should make his speech of May 1 about Strafford, he substituted Saye for Savile.

perhaps not knowing what disclosures might come out, insisted on an investigation by a secret committee. For days the struggle continued. The King saw in the eyes of those before him their suspicions that he had himself been an accomplice in the plot. He rightly felt that he was himself being put on his trial. "However the matter

Oct. 15.

go," he said, "I must see myself get fair play." He called on the President to ask the House 'why they denied his just and

Oct. 21.
Committee
of investiga-
tion ap-
pointed.

reasonable request.' He protested that if they refused a public inquiry 'he knew not what they would grant him.' It was in vain that Charles protested. On the 21st he gave way, and a committee of investigation was appointed.

No one who has studied Charles's character can believe for a moment that he was directly guilty of conspiracy to murder.

How far
Charles was
to blame.

Yet, if he found himself distrusted, he had but himself to blame. No doubt Argyle was intriguing and ambitious, and Hamilton was but seeking to swim with the tide; but had not Charles, too, been intriguing and self-seeking? Why was it that he had courted first the Presbyterian middle classes, and then, when he found himself unable to gain his ends by their help, had thrown himself upon the old feudal aristocracy? Was it so very surprising that that aristocracy was still what it had ever been? Its traditions were those of plot and violence, of enemies shot down in the streets of Edinburgh, or hurried off to imprisonment in distant strongholds.

Nor did Charles's guilt end here. He had not come to Scotland for any purpose connected with the welfare of the Scottish people. He had looked on them simply as the instrument by the help of which he was to work his will in England, and he had no reason to be surprised if the instrument had broken in his hands.

Oct. 21.
Charles's
intentions
with regard
to the
English
leaders.

Even now Charles had not by any means relinquished his projected attack on the English Parliamentary leaders. It may be that he did not consciously wish to overthrow the legislation of the past year. If the new laws brought with them improvements

literature of the day as standing on hardly a higher level. Why, it was asked, should cobblers, weavers, fellmongers, and tailors take on themselves to interpret God's word directly contrary to God's word? Even from the pulpits of the official ministers strange assertions were heard. One minister affirmed that Popish innovations began when the Apostles ordained the first bishops. Another declared that parents ought to abstain from teaching their children the Lord's Prayer. Another minister chided some of his hearers for sitting in church with their hats off, and bade them leave off that superstitious compliment. Another spoke of Felton's murder of the Duke of Buckingham with approbation, whilst yet another deliberately omitted from his prayers the name of Jesus, lest anyone in the congregation should be guilty of idolatry by showing reverence. It was said openly that churches were no more holy than kitchens, or the Lord's table than a dresser-board. One man who attracted notoriety by rising in various churches in order to address the congregation, and who was known as the Prophet Hunt, used to tell all who would listen to him that the Old Testament was of no more use than an old almanac out of date. If a clergyman whose dress or appearance betrayed him as a supporter of the unpopular party ventured out into the streets, it was not long before he had a shouting mob at his heels. A Jesuit, a Baal's priest, an Abbey-lubber, a Canterbury's whelp, were the mildest epithets which were flung at him in derision. At a time when the current ran strongly in favour of the use of Extempo-
rary prayers. extemporary prayers, those who clung to the noble language of the Prayer Book with affection had often cause to regard with contempt the efforts of men without eloquence or education to provide a substitute for it. One preacher asserted that in the late time of drought he had heard a man praying in this fashion: "Lord, there have been some semblances, and some overtures, Lord, of rain. The clouds indeed were gathered together, but they were suddenly dispersed. Lord, Lord, Thou knowest that the kennels of the street yield a most unsavoury smell." The preacher professed that for his part he preferred the despised form: "O God send us, we beseech Thee, in this our necessity, such moderate

in and showers, that we may receive the fruits of the earth to our comfort, and to Thy honour." ¹

It was hard to moderate between the disgust of a large part of the upper and more cultured class and the zeal of the many who were rushing headlong into the whirl of a religious excitement. Government there was none in England, save the King's Committee, such as resided in the Committee of which Pym was the guiding spirit. That Committee did its utmost, after its fashion, to stem the tide. It ordered every disbanded soldier to return to his home. It strove to enforce the resolutions of the Commons as a mere declaration of the existing law. But it had a difficult part to play. The sense of insecurity provoked Oct. 12. staid and nervous citizens to apprehension. The weight of taxation, especially of the terrible poll-tax, pressed heavily on rich and poor. The religious sense of a respectable sing minority in London, probably of a majority in the ling country, was deeply wounded. It was not against sing the Presbyterians that their anger was moved. The its. Root-and-Branch Bill had been a clear indication that the Commons had no wish to impose Presbyterianism on England. The present evil which was feared was the sudden uprising of the untaught multitude, that 'blatant beast' of which Spenser had written, forcing the acceptance of its uncouth shibboleths upon men of learning and education. "I think," wrote one who shared in this feeling, "it will be thought blasphemy shortly to name Jesus Christ; for it is already forbidden to bow at His name, though Scripture and the Church of England doth both warrant it and command it." Placards were already posted up against 'the precise Lords and Commons of the Parliament.' The authors of sedition, it was said, who had conspired with the Scots, must be expelled from Parliament, otherwise men would be found to take their lives, as enemies of God and the Commonwealth. Similar placards were exposed to the public gaze in many parts of the country, and especially in Yorkshire. ²

¹ The greater part of this paragraph is founded on *A Sermon preached at St. Paul's the 10th day of Oct. by T. Cheshire*, E. 177.

² Wiseman to Pennington, Oct. 7, *S. P. Dom.* Giustinian's despatch, Oct. $\frac{8}{18}$, *Ven. Transcripts*, R. O.

Parliament was to meet again on the 20th. On the 19th Pym read in committee the letters from Edinburgh telling of

Oct. 19.
The Incident
known in
London.

Re-assembly
of Parlia-
ment.

the murderous design which had been timely frustrated. For the last ten days, he said, he had been receiving warnings that a similar design was entertained in England. When the Houses re-assembled the shadow of the Incident was there to terrify them.

"Other men," Essex and Holland thought, "were in danger of the like assaults."¹ D'Ewes moved in the Commons that the danger of a Popish plot should be the first subject of consideration, and that the Lords should be asked to join in settling religion, as a salve for all sores. Hyde and Falkland fell back on blank incredulity as to there being any danger at all, and asked that the affairs of Scotland should be left to the Scottish Parliament, that they should not 'take up fears and suspicions without any certain and undoubted ground.' The House refused to listen to a plea which made so light of the

Guard voted
for Parlia-
ment.

peril, and the Lords were asked to concur in measures for the protection of Parliament. To this demand the Lords at once assented, and from that day a hundred men from the Westminster Trained Bands kept guard night and day in Palace Yard.²

The language of Hyde and Falkland was sufficient evidence that the Episcopalian party was in process of conversion

Oct. 20.
The Epis-
copalian
party
becoming a
Royalist
party.

into a Royalist party. But their failure to secure any large following as yet, and the prompt concurrence of the Lords with the Commons, was evidence that the conversion was not as yet entirely effected. Even at this time it may safely be affirmed that, if no other question had been at issue than the political one, there would have been no permanent division of parties, and no Civil War, with all its melancholy consequences.

Only partisan rancour can throw the blame of the Civil War on either side exclusively. Pym, far-sighted as he was on

¹ C. J. ii. 289. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 241 b. *Clarendon*, iv. 20.

² C. J. ii. 290. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 12 b. *Diurnal Occurrences*, 329.

the constitutional question, had been bred up too long on the commonplaces of Puritanism to recognise boldly that no settlement of the Church was likely to be permanent which did not provide for both the chief phases of opinion. Without being himself a fanatic, he had more sympathy with the fanatics than he had with the ceremonialists. The grand vision of religious liberty never lightened his path. The hard problem of toleration which his own generation and the next were called to solve never presented itself to his mind as a question worthy of consideration. He would have had but one Church, one form of worship, one dogmatic teaching, though he would no doubt have administered this system in a large and tolerant spirit. Fatal as his choice was, nothing else could fairly have been expected of him. If he had not shared the errors of his followers he would never have been their leader. The belief that the State was to settle a definite Church order, to which all were bound to submit, was too deeply rooted in the English mind to be easily eradicated, and the unbending severity of Laud's government had called forth a reaction strong enough to remove far away the thought of toleration for any practices which seemed akin to the Laudian innovations.

The action of Falkland is still more disappointing than that of Pym. It might have been expected that with his broad culture and wide sympathies he would have made some overtures with the object of enlarging the formularies of the Church, in order to embrace all moderate men within its fold. The policy of comprehension, indeed, was not altogether a promising one. It would, in any case, have left too many outside the widest possible Church to be accepted as a permanent solution of the problem. But at least it would have acknowledged that the problem existed. No help of this kind was forthcoming from Falkland. His entire want of imaginative force left him without creative power. He was a critic—an amiable, truth-loving critic—but not a statesman. He had attacked Laudian Episcopacy in February. His delicate nerves were shocked in October by the systematic rigour of Presbyterianism and by the fanaticism of the

The fault of
division falls
on both
sides.

Pym.

Falkland.

Oct. 21.

sects. He had said his last word in politics, and he now sank into a mere position of dependency upon a man in every respect, except rigidity of purpose, so inferior to him as Hyde.

Like Falkland, the Long Parliament itself had said its last word in politics. Everything that it had done up to this point, with the single exception of the compulsory clauses of the Triennial Act, was accepted at the Restoration and passed into the permanent constitution of the country. Everything that it attempted to do after this was rejected at the Restoration. The first was the work of the whole Parliament, the second was the work of a majority. Failure, and it must be confessed deserved failure, was the result of Pym's leadership. Failure, and equally deserved failure, would have been the result of the leadership of Hyde.

It does not follow that the historian should pause here and throw down his pen in despair. It does not follow that he is

even called on to regret the sad and melancholy tale which has yet to be unrolled of Englishmen, born to be as brothers, flying at one another's throats in savage hatred ; or, worse still, of Englishmen in despair casting away the high thoughts of their fathers to grovel in the slough of sensuality, except with that regret which is ever springing up afresh for the imperfections and weaknesses of human nature itself. Would England, it may well be asked, have been really the better if it had limited its desires to purely material objects, if it had been content to abolish ship-money and the Star Chamber, to seize the purse, and, with the purse in its hand, to enter into its inheritance of power? Such gains have never been sufficient for any nation or for any man. Liberty and authority are only permanent when they are grasped not for their own sake, but for the sake of higher and more beneficent aims. Our fathers, it is true, strove in error. They walked on paths which led not to wisdom and justice, but to folly and injustice. But wisdom and justice were the objects which they set before themselves. Each party contended for an ideal Church, which was not soiled in their minds by the admixture of material dross ; and no man who strives even for a false ideal can fall so low as the man who strives for no ideal at all. The

The permanent work of the Long Parliament ended.

What has yet to be told.

error was great, and it was sorely expiated. He whose lot it is to tell the tale of the heroic and fatal strife may well look beyond the strife and the immediate relaxation of energy which followed its conclusion. Even in the Restoration he can foresee the Revolution and the reawakening of moral earnestness and intellectual insight which was the ultimate result of the Revolution. If it was in England that the great problem of the seventeenth century was solved by liberty of speech and thought, if England has from time to time raised herself above the temptations of material wealth to loose the bonds of the slave, and to redress the wrongs of the oppressed, if her greatest glory has been that she has been not only free herself but the mother of free nations, it is because at this crisis of her fate she did not choose to lie down and slumber as soon as she judged that the rights of property were safe.

Even now voices were raised to point to the true path of safety ; but they were not voices to which any man of authority was likely to listen. The desire for toleration naturally comes to the persecuted before it reaches the philosopher or the statesman, and the theory which had been struck out by the early Separatists retained its power over their successors. Henry Burton, who had been restored to his church in Friday Street, had been rushing forwards to extreme Puritanism, and in a pamphlet entitled *The Protestation Protested*,¹ had sketched out that plan of a national Church surrounded by voluntary churches, which was accepted at the Revolution of 1688 as the solution of the difficulty by which two generations had been troubled.² Still more remarkable was *A Discourse opening the nature of that Episcopacy which is exercised in England*, the result of Lord Brooke's vacation

Voices raised
for tolera-
tion.

July.
Burton's
*Protestation
Protested*.

Lord
Brooke's
*Discourse
on Episco-
pacy*.

¹ Its publication is mentioned in a letter of July 11, R. Hobart to J. Hobart, July 11, *Tanner MSS.* lxi. fol. 109.

² *The Humble Petition of the Brownists*, 1641, E. 178, declares for complete toleration even for Roman Catholics and for the Family of Love, on the ground that whatever is of God will prosper. The largeness of its charity is rather suspicious, and it was most probably intended as a caricature.

studies. Never did so unpromising a beginning lead up to a fairer conclusion. Brooke entered upon his task by denouncing bishops as upstarts of low birth and ill-breeding. His argument meandered for some time amongst disputed points of ecclesiastical antiquity, in which he fails to interest the reader, because, like most other controversialists of his day, he shows that he is not led by any spirit of historical inquiry, and that he is thinking of Laud and Wren much more than of Ambrose and Augustine. When the constructive portion of the book is reached the author wins upon our sympathies. He is not, indeed, aware, any more than Pym was aware, of the full extent of the problem to be solved. His ideal Church is Puritan and nothing more. But he had been brought, as a member of the House of Lords, face to face with the question of the treatment of schismatics. He had doubtless been one of those Peers who visited the conventicle in Deadman's Place. In this practical way he had come to ask himself the question whether liberty of conscience for the ignorant as well as for the wise were good or bad. The bishops, he says, had declared that ceremonies were indifferent, and on that ground had forced all to take part in them. Brooke boldly answers that nothing is indifferent. The least action ought either to be done or left undone, and it is only our ignorance of the right course which we veil under the name of indifference. Yet if there is to be any sort of Church at all, it must impose certain acts upon its members. The difficulty comes when the community is of one opinion and an individual member of another. Brooke decides for the individual. No power on earth, he says, ought to force his practice. 'One that doubts with reason and humility may not, for aught I yet see, be forced by violence.'¹ With this thought before him Brooke refused to be frightened by the danger of admitting ignorant and vulgar persons to teach. Why, he asks, may not a man be allowed to preach, though he is basely employed all the week in trade, as well as a bishop who is busy all the week with affairs of state? Brooke has full faith in the purifying effect of liberty. "Fire and water," he says "may be restrained, but light cannot. It

¹ Page 33.

will in at every cranny, and the more it is opposed it shines the brighter, so that now to stint it is to resist an enlightened and inflamed multitude." The activity of the bishops in enforcing conformity had resulted in producing many thousand Nonconformists. Why could not men agree to differ? "Can we not dissent in judgment but we must also disagree in affection? We never prove ourselves true members of Christ more than when we embrace His members with most enlarged yet straightest affections."¹

It is impossible to over-estimate the value of such a book. Whilst the future champions of toleration were silent, whilst Cromwell was giving all his strength to the work of the hour, whilst Milton was lost in admiration of his latest birth of an all-embracing and unobtrusive Presbyterianism, Brooke had worked out the problem of his age, and had given the solution which, after forty-eight years of confused and weary seeking, all England would accept. His pleading on behalf of the liberty of unlicensed preaching preceded by three years Milton's pleading for the liberty of unlicensed printing. No defect in the form of Brooke's work should be allowed to distract our minds from its intrinsic value.

If Pym was very far from possessing Brooke's keenness of insight into the future, it was at least certain that his counsels would be given on the side of moderation. The Root-and-Branch Bill was finally abandoned at the re-assembling of Parliament. The attempt made by the committee to enforce the resolutions of the Commons in the matter of the ceremonies was also dropped. On the 21st a new Bill was brought in to deprive the clergy of all temporal authority, and especially to exclude the bishops from their seats in the House of Lords. The opposition to the measure was of a very perfunctory kind. Hyde objected to it on the ground that it meddled with the constitution of the Upper House, whilst Falkland took the more practical ground that it was certain to be rejected by the Peers. The only alternative scheme was offered by Dering, who asked that a national Synod should be

Merits of
Brooke's
work.

The second
Bishops' Ex-
clusion Bill.

called to remove the distractions of the Church. For the present no attention was paid to this suggestion, which had already been heard of on several occasions since the first meeting of Parliament. It is probable that Pym felt it to be hopeless to expect any such Church reform as he regarded necessary, so long as a compact body of twenty-six episcopal votes was opposed to him in the House of Lords. The new Bill
 Oct. 23. was pushed rapidly through the Commons. It was read a third time only two days after its introduction.¹

When the Bill was sent up to the Lords, some who wished it ill believed that it would be allowed to pass.² Its introduction a second time was evidently intended to form the basis of a compromise. Yet there was a large party amongst the Peers which was against all concession. The vigour of the sects during the vacation, and the violence with which the orders of the House of Commons had been in some places executed, had produced a feeling of irritation in many of the Peers, which was increased by the not unnatural resentment roused by an attempt to alter the ancient constitution of their own House. It was observed that on the day after
 Oct. 24. the Bill was sent up, which happened to be a Sunday, an unusual number of Lords travelled down to Oatlands to pay their respects to the Queen.³ On Monday an incident occurred which showed how intense was the bitterness of the hatred of which Pym had by this time become the object. A letter was delivered to him in his place in the House. As soon
 Oct. 25. as he had opened it, a rag, foul with the foulness of
 A plague-rag sent to Pym. a plague-sore, dropped on the floor. The letter in which it was enclosed termed him a traitor and a taker of bribes, and assured him that if he did not die of the infection now conveyed to him, a dagger would be found to rid the world of his presence.⁴

In the first months of the Long Parliament, Pym and his

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 31 b. *Dering's Speeches*, 93.

² Nicholas to the King, Oct. 25, *Evelyn's Memoirs*, ii. App. 44.

³ Giustinian to the Doge, *Oct. 29*
Nov. 8, *Ven. Transcripts. R. O.*

⁴ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 36 b.

friends had had the advantage of opposing vague and indefinite schemes. No one could tell precisely what the Pym's proposal stirred up opposition. primitive Episcopacy of their adversaries would come to be in practice. That advantage they had now thrown away. After all that had been said and done in support of the Root and-Branch Bill, it was impossible to imagine that the present Bishops' Exclusion Bill was Pym's last word on Church reform. What he wanted, it seemed, was to diminish the majority against him in the House of Lords before producing that scheme which appeared all the more dangerous because he had given no hint what its nature was to be. He would probably have gained far more than he would have lost by bringing forward now a complete but moderate plan of ecclesiastical reform. Unfortunately, he, too, had none of those powers of constructive statesmanship which were most needed at this crisis of our history.

Not only was the advantage of definiteness of plan lost to Pym, but it had already passed over to the other side. On the 25th Nicholas had been circulating amongst the Peers an extract from a letter which had just reached him from the King. "I hear," wrote Charles, "it is reported that at my return I intend to alter the government of the Church of England, and to bring it to that form as it is here. Therefore I command you to assure all my servants that I am constant to the discipline and doctrine of the Church of England established by Queen Elizabeth and my father, and that I resolve—by the grace of God—to die in the maintenance of it."¹

Charles had at last found an object to stand up for which was higher than his own prerogative. By this manifesto he was to abide till the last solemn scene of his life. It gave him the hearts of all who, from various causes, distrusted Puritan domination. In the mouth of any man less liable than himself to prefer intrigue to statesmanship

The King's manifesto circulated amongst the Peers.

The manifesto practically a declaration of war.

¹ This appears to have been the form in which the extract was circulated, but there was an earlier one. The King's Apostyle, Oct. 12. Nicholas to the King, Oct. 25, *Evelyn's Memoirs*, ii. App. 37, 44. The King to Nicholas, Oct. 18, *S. P. Dom.*

it would, with some modification, have secured a firm foundation for the constitutional monarchy. So deeply-rooted was the monarchical feeling in England that even after it had been chilled by years of misgovernment, it was ready to spring up again with fresh life the moment that the causes of distrust had been removed. In the mouth of Charles, unfortunately, the manifesto was a declaration of war. He had no thought of making room for so many of the Puritan party as would be content to enter into a compromise with their fellow-subjects. Yet Puritanism was still a mighty force in England, and it was not for Charles to hope permanently to exclude it from the Church, any more than it was for Pym to hope to make it permanently dominant in the Church.

Both sides, in short, were driven by their antecedents to misunderstand the fundamental conditions of government. Charles believed that an existing system could be maintained in the face of widely-felt dissatisfaction. Pym believed that a new system could be introduced by a mere Parliamentary majority in the face of a dissatisfaction equally widely felt. The one maintained that the House of Commons could effect no change without the assent of the King and the House of Lords. The other exalted the authority of an elected assembly whilst forgetting to inquire whether its decisions were in conformity with the actual necessities of the nation.

Yet if there were faults and errors on both sides Charles was personally overmatched by Pym. In coolness and dexterity the Parliamentary leader was far his superior. On the 26th, Pym stopped a proposal made by Holles, that the bishops who had been impeached for their part in the late canons should be accused of treason, whilst he himself carried a vote to ask the Lords to suspend the whole Episcopal Bench from the division on the Exclusion Bill, on the ground that they ought not to be judges in their own case, and to direct that the thirteen who had been already impeached should be sequestered from the House till their case had been decided.¹ An attempt

The fundamental conditions of government misunderstood.

Pym and the King.

Oct. 26. Pym asks that the bishops be suspended from voting on the Exclusion Bill.

¹ C. J. ii. 295. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 40 b.

passionately supported by Strode to assert the claim of Parliament to a negative voice on ministerial appointments Oct. 28. Negative voice on appointment claimed. failed to secure the requisite support, and a simple petition was resolved on to express to the King the mere wish of the House on the subject. At the same time the Peers determined by a narrow majority to postpone consideration of the suspension of the bishops, and of the Exclusion Bill itself, till November 10, the day fixed for the opening of the proceedings against the impeached bishops.¹

It is plain that the majority in both Houses was for the present fluctuating. Neither side wished to push matters to extremities. Charles had no such feeling. Far away at Edinburgh, without the possibility of consultation even with his devoted adherents, he announced his intention of filling five bishoprics which happened to be vacant. Williams was to be Archbishop of York. Hall and Skinner, who were both amongst the impeached prelates, were translated respectively to Norwich and Oxford. The other new bishops were no doubt excellent men, and one of their number, Dr. Prideaux, the Rector of Exeter College, and Professor of Divinity at Oxford, would have done credit to the Bench in any age. What was serious in the matter was the indication of Charles's intention to nominate bishops as he had nominated them before, without any intimation that they were to hold their offices subject to future limitation.

By the majority of the thin House which was now at Westminster, the appointment of the bishops was taken as an insult. Oct. 29. Feeling in the Commons. Cromwell's vehemence carried the Commons with him in a resolution to demand a conference with the Lords on the subject, and an early day, November 1, was fixed for the consideration of that The Remonstrance to be considered. Remonstrance on the state of the kingdom which had been so often talked of in the earlier part of the year, but which had never been actually discussed.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 46 b. *L. J.* iv. 407.

Before the appointed day arrived a fresh blow was aimed at the King. On October 30 Pym revealed what he knew of the second Army Plot. O'Neill and Berkeley had been under examination, and their statements were now read. It was deduced from their evidence that when Charles went to Scotland he had gone with the hope of obtaining military assistance in the North, and it is now known from other sources that the inference was correct. Pym asked whether the danger was at an end yet. Secret forces, he said, had been prepared, and the chief recusants in Hampshire had been meeting for consultation. The Prince of Wales, who should have remained at Richmond, under the charge of Hertford, who was now his governor, had been a frequent visitor at Oatlands where his mother was keeping her Court, and the lad could receive no good in body or soul from his mother. It was to be feared that a connection existed between these plots in England and recent events in Scotland. When Pym sat down it was ordered that Father Philips, and Monsigot, who had recently arrived on a mission from the Queen Mother, should be sent for, and that the Lords should direct Hertford to keep a stricter personal watch over the Prince. With this demand the Lords promptly complied.¹

Whether Pym's suspicions were well founded or not it is impossible to say, but there is a serious corroboration of them in the language which had been used by the Queen to the French ambassador less than a fortnight before. She then told him exultingly that her husband's affairs were in the best possible condition, and that more than 10,000 men were ready to assemble in his service on three days' notice.² That which seemed to her to be an increase of strength, was in very truth the cause of incurable weakness.

¹ C. J. ii. 299. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 37 b.

² La Ferté's despatch, Oct. $\frac{21}{31}$, *Arch. des Aff. Étr.* xlviii. fol. 394.

CHAPTER CI.

THE IRISH REBELLION AND THE GRAND REMONSTRANCE.

AGAIN and again Charles's intrigues rose up in judgment against him. On November 1, the day which had been set apart in the House of Commons for the consideration of the Remonstrance, news arrived at Westminster that a rebellion had broken out in Ireland, and that, but for information timely given at the last moment, Dublin itself would have been in the hands of the conspirators.

Startling as the news was, there was nothing in it to cause surprise. Everything that had been done in Ireland since the flight of the Earls in 1607 had been of a nature to lead up to such a catastrophe. For a few years after James's

1641.
Nov. 1.
News of the
Irish Re-
bellion.

Retrospect
of the Ulster
Plantation.

accession there had been a serious attempt to remedy the evils of Ireland by enlisting the sympathies of the people in the cause of at least material progress; but before the temptation offered by the commotions in Ulster English virtue had given way. Six counties were declared to be forfeited to the Crown under an artificial treason-law which had no hold on the Irish conscience. English and Scottish colonists were brought in to occupy the richest parts of the soil. The children of the land were thrust forth to find what sustenance they could on the leavings of the intruders, and were debarred even the poor privilege of serving the new settlers for hire, lest they should be tempted to fall upon their masters unawares. That which was done was done not so much in order that the land of Irishmen should be confiscated, as that a British garrison should be planted amongst them. The result, however, was equally disastrous.

The system once established found favour in the eyes of succeeding Deputies. British colonists cost nothing to the State, and the means of the Government did not allow it to maintain an army in Ireland adequate to its needs. When St. John and the elder Falkland were Deputies there were fresh plantations, though, in spite of the efforts of land-jobbers and confiscators, an attempt was made to treat the natives with something less of harshness than in Ulster. Three-fourths of the re-divided land was to be assigned to them, and only one-fourth to the British undertakers. Even if the plan laid down had been strictly carried out, the system would have been one of the grossest injustice. Some few Irish families were, no doubt, the better for it. They received estates which would be permanently their own, and were thus induced to improve the land of which they had a secure possession. But the mass of Irishmen had no such good fortune. Their part in the old tribal tenure was utterly unrecognised, and they were contemptuously thrust out into the world to seek their fortunes as best they might.¹

When Strafford ruled in Ireland, he had resolved to carry out an extensive plantation in Connaught; hoping thereby to effect a change which would bring with it the blessings of English civilisation, and of English religion. It is true that under his rule a very practical toleration existed. Priests and friars who did not make themselves too conspicuous might go about without hindrance amongst a population which well-nigh adored them, and no Irishman had any difficulty in hearing mass as often as he pleased; but it was clearly understood that this license was merely provisional, and that Strafford was looking to the strength which a fresh confiscation would give him, to enable him to suppress the exercise of the Irish religion with a heavy hand.

Strafford fell, but he left his hopes and fears to those who succeeded him. Lord Deputy Wandesford died before the end of 1640, and, after a brief interval, his authority was handed

¹ See the account of these proceedings scattered over the *Calendar of Irish State Papers*, 1615-1625, of some of which an account has been given in Vol. VIII. pp. 1-28.

over to two Lords Justices, Sir William Parsons and Sir John Borlase. The first was an adventurer who had made his fortune by evicting Irishmen from their lands. The second was an old soldier, without any qualifications for governing a country. The difficulties before them were such as to be almost insuperable. They found themselves face to face with a Catholic majority in a Parliament in which the Protestant minority was always ready to join the Catholics in pulling down the edifice of prerogative which had been erected by Strafford. Each House had a committee in England negotiating with the King, and these committees found Charles ready to give way on almost every point. He was too much occupied with his English difficulties to care whether Ireland were the better or the worse for his concessions.

Blow after blow was struck at the revenue, till the exchequer was threatened with a deficit as large as that from which Strafford's energy had saved it. The Lords Justices and the Irish Council were horrified to learn¹ that the Plantation of Connaught, long suspended,

¹ In a letter in which the subject is treated from the English point of view, the Council stated 'that in the Plantations great parts of the lands have been so assured to the British by provisos in the grants and otherwise as they must for ever remain English, and cannot in point of interest come into the hands of Irish, which adds much to the strength of the government and service of the Crown, that by them the great Irish Lords, who for many ages so grievously infested this kingdom, are either taken away, or so levelled with others in point of subjection, as all now submit to the law, and many of them live in good order; that the Plantations have been made only in the Irish territories, where those sometimes unruly chieftains formerly governed, and where the Irish, by advantage of the times, prevailed by incursions, and in a manner continued rebellious for a long time to expel the English first planted, though now many of them are changed into a civil course of life; . . . that if no Plantations had been made, this kingdom had doubtless, in many parts thereof, continued in the old barbarism and tumultuary state, deprived in a manner of all the blessings which that providence of our renowned Princes hath thereby afforded to it, and—which would have been the worst of all—there could have been at this time very little appearance of the Protestant religion here other than where the State resideth, or where the

was at last definitely abandoned. It was still worse when they learnt that the Catholic lords would be content with nothing short of toleration for their own religion, and had ventured to ask why the loyal Catholics of Ireland should fare worse than the rebellious Puritans of Scotland.¹ Such things, indeed, were not said openly in the presence of the Lords Justices ; but the Committee of the Irish Peers carried the wishes of their countrymen to Whitehall, and the Queen placed liberty of worship for the Irish on the list of benefits which her husband was ready to bestow on the Catholics in the event of his receiving pecuniary assistance from Rome.²

As part of a settled policy, Charles's offer of religious liberty to the Irish Catholics would have been worthy of all commendation, though it was hardly likely that he would have been able to carry it into effect. In his hands it was a mere shifty expedient, from which

Presidents of the Provinces do live, and in few other particular places ; . . . that if the way of Plantations should now, on the sudden, be stopped, we do apparently foresee that it will beget much discouragement and scruple amongst those already planted, and doubtless will occasion disturbance from the former pretendants ; . . . that, if it had been thought fit to proceed with those Plantations in Connaught and some other Irish territories lately found for the King in Munster ; all which do amount to near a fourth part of the kingdom, where there are now few Protestants that have any considerable estates or fortunes, and the spiritual livings no way competent to support a resident ministry, where there are many ports, creeks, and havens lying open upon Spain and other kingdoms apt for trade, and fit to be inhabited by men of skill and industry . . . we could little doubt to affirm that His Majesty and his heirs should for ever, by God's blessing, have continuance of as firm rule and obedience in this kingdom as in any other his dominions.'—The Lords Justices and Council to Vane, April 24, *S. P. Ireland*.

¹ They asked 'che sia permesso la libertà di coscienza, et li Cattolici in particolare uon solo chiedono con pietoso zelo l'esercitio publico della Romana religione, ma spalleggiati della gente da guerra, che non volse come scrissi agli ultimi comandamenti de S. M^{ta} sbandarsi, sono tumultuosamente entrati nella Chiesa Cathedrale Protestante di Dublin,'—Derry is no doubt meant—'dove hanno fatto col concorso di molto popolo cantare una solenne messa.'—Giustinian to the Doge, Jan. $\frac{7}{17}$, *Ven. Transcripts*.

² See Vol. IX. 384.

nothing good was to be expected, and the mere suggestion of which was certain to kindle hopes which could hardly be disappointed with impunity. Everything seemed to be prepared to bring about a catastrophe. Almost immediately after Strafford's death Leicester had been appointed to the lord-lieutenancy. Instead of hastening to his post, he loitered in England with no sufficient excuse. Charles showed no sign of anxiety for his departure, and it is possible that he was well pleased to leave the field open to the execution of plans in which Leicester could never be expected to concur.

Leicester
Lord Lieu-
tenant.

Whether under any circumstances an Irish national and Catholic parliamentary government would have been tolerant of existing Protestant congregations might reasonably be doubted. It was, however, certain that this question of toleration for the Church of the Irish people could not, as Charles imagined, stand alone. The Land difficulty followed closely upon the heels of the Religious difficulty. To claim Ireland for the Irish, and to thrust out the intruders who were battenning on Irish soil, was the inevitable complement of the demand that Irish ecclesiastical institutions should be constituted in accordance with the ideas of the Irish people.

The Church
question and
the Land
question.

A wise and strong England able to repress armed resistance, and capable of doing justice to the real grievances of Irishmen, might possibly in time have effaced the traces of that evil which had been the work of English statesmen. Unfortunately, for more than thirty years, the English government had not been wise, and now at last it had ceased to be strong. The native population had neither been crushed nor conciliated. Full of the memories of violated rights and goaded to bitter hatred by the contemptuous indifference of the conquerors, that population was mastered by a devouring indignation which when it once burst forth would rage as a consuming flame. Irishmen had not passed through the experience which had made Scotland invincible. They had not the discipline which comes of the traditions of successful warfare waged through generations under trusted leaders. Nationality was with them rather a hope of far distant gain than a

Risk of
explosion.

precious possession bequeathed to them by their forefathers. The mass was rude and uncultivated, prone to sudden deeds of violence and to unthinking panics, cruel as children are cruel, under the sudden gust of passion or impulse. Even victory was certain to bring its own perils. Between the cultivated gentleman of Norman descent and the rude
 May. dispossessed peasant of Ulster there was little in common. For a moment they might act together, but there could be little mutual confidence between them.

The peasant's hatred of the English colonists found expression in a large number of men of birth and education, who, either through their own fault or that of others, had fallen from
 Roger More. wealth to poverty. Foremost amongst these was Roger More. His ancestors had once been in the possession of large estates in Queen's County, which had since been lost to the family. Merging his private grievance in the general grievances of his countrymen, he acquired their confidence by his force of character. "God and our Lady be our assistance, and Roger More," was an expression often to be heard on Irish lips. His attractive force was increased by his blindness to all except the nobler side of the object at stake, and he was able to inspire others with courage because he spoke from his heart of the cause in which he was engaged as one which appealed only to the purest and most elevated sentiments of human nature. It is to his credit that, when he found himself face to face with the grim realities which his own enthusiasm had evoked, he risked his life to put a check upon the foul deeds which clouded the accomplishment of his purpose, and at last stood aside from the conflict rather than win success through a mist of tears and blood.

Another leader of less commanding ability, but of higher position, was Sir Phelim O'Neill. He was the grandson of
 Sir Phelim O'Neill. an O'Neill who had taken the side of the English Government after the flight of the Earls, and, now that Tyrone's son had died without issue, he regarded himself as the heir to the chieftainship of the sept.

The patriotism of Lord Maguire, like that of More and O'Neill, was not uninfluenced by personal considerations. He

was a young man overwhelmed by debt, and he had therefore everything to gain by a commotion. He might not only relieve his estate from the burden which weighed heavily upon it, but he might hope to regain the authority which had been exercised by his ancestors in Fermanagh.

The first serious plan for rising in vindication of the claims of Irishmen to the soil seems to have been entertained in February. February, though the idea had not been absent from the minds of the natives during many years. The scheme received a strong impulsion from the news brought from Westminster by every post. The English Parliament was evidently bent on treating Catholics with a harshness to which they had long been unaccustomed, and there was no reason to suppose that the Catholics of Ireland would be dealt with more gently than their brethren in England. "Undoubtedly," said More, "the Parliament now in England will suppress the Catholic religion."¹

The English Government would have had little to fear if it had had only to deal with a few discontented gentlemen. The gravity of the situation arose from the fact that the fears and hopes of these gentlemen were shared by the whole of the native population of the country. When, as had been at first intended, the disbanded army was on the march for the place where it was to have taken ship for foreign service, the soldiers were advised by priests and friars not to leave the country 'although they lived only on bread and milk, for that there might be use for them here.'² There can be no doubt that the Irish believed that they were called on to act in self-defence. It cannot have been unknown to them that if the Lords Justices and the Council could have their way they would proceed to a fresh partition of Irish land, and to a fresh attack upon the Catholic clergy.³ Amongst an ignorant

¹ Carte's *Ormond*, i. 156. Maguire's *Relation*, Nalson, ii. 543.

² Captain Serle's evidence, June 9, *S. P. Ireland*.

³ The Protestant Archbishop of Tuam complained about this time that the titular Archbishop is 'plentifully maintained, generally respected, feeds of the best, and it is a strife betwixt the great ones which shall be happy in being the host of such a guest.' He adds that the country suffered

and impulsive people, it was only too natural that belief should outstrip actual fact. Irishmen were soon firmly convinced that the English Parliament had declared its resolution to extirpate Irish Catholicism, and that the Lords Justices had openly expressed their determination to carry out its orders.

In intriguing with the Catholic Lords, Charles was applying a lighted match to a magazine of gunpowder. One day in August Sir James Dillon met Lord Maguire in Dublin, and proposed to him, in the name of the colonels of the disbanded army, to seize the Castle with the help of the Catholic Lords. Influential Irishmen would at the same time surprise other fortified posts. The Lords, however, drew back, possibly wishing to act by the King's orders rather than in combination with irresponsible adventurers. Maguire and his immediate friends resolved to take an independent course. They were in correspondence with Owen Roe O'Neill, a brave and active officer in the Spanish service in the Netherlands, and he had promised to send arms for 10,000 men. It was finally arranged that an insurrection in the North should take place on the same day as the seizure of Dublin Castle, and after some hesitation October 23 was fixed on for the attempt.¹

grievously in having to pay a double clergy. The people, in multitudes, daily resorted to 'the mass-houses.' In Galway mass was said with such publicity 'that the well-affected English . . . at the daily hearing of the same as they go about their business in the street are much wounded in conscience.' The natives thought it hard to have to pay to the Protestant clergy a less sum than they paid cheerfully to their own priests. *S. P. Ireland*. It takes some effort now to understand that all this was written with complete seriousness.

¹ Maguire's *Relation*, Nalson, ii. 543. The probability that the Lords held back in order to await instructions from the King, is much increased if we accept the detailed statement in *The Mystery of Iniquity* (E. 76), by Edward Bowles, that the Irish Committee returned to Ireland 'the same month His Majesty went for Scotland,' namely August, 'leaving the Lord Dillon who was presently after sent with the Queen's letters, requesting or requiring his being made Councillor of Ireland, to His Majesty then at Edinburgh.' If, as seems likely, Lord Dillon was to bring the King's last instructions, of which I shall have something to say later, this would account for the Lords' hesitation. Such evidence as this can only furnish

Early in October a congress of priests and laymen was held in Westmeath in the Abbey of Multyfarnham. The question

October. Congress of Multyfarnham. was agitated what course was to be taken with the English and other Protestants. The friars, followed by many who were present, urged, on every consideration of religion and policy, that there should be no massacre. Treat the English, they said, as the Spaniards treated the Moors, sending them back to their own country with at least some part of their property. Others argued that no way was so safe as a general slaughter. Banished men might come back with swords in their hands. It was evident that, before all was over, there would be wild work in Ireland.¹

Some vague warnings had reached the Lords Justices from time to time. It was not till the evening of October 22, the day before the intended surprise, that they were roused from their lethargy. On that day Lord Maguire and Hugh Mac Mahon were in Dublin with eighty men, ready for the next day's work. Amongst these men was a certain Owen O'Conolly, whose name and birth had pointed him out as a fitting instrument for the design. Unluckily for the conspirators, the man was a Protestant in the service of Sir John Clotworthy. Concealing his real opinions, he contrived to escape, made his way to Parsons, and told all that he knew. He had learned, he said,

indications, not proofs. What is remarkable is that they all point in the same direction. Lord Antrim's statement is that the second message from the King was sent from York by Captain Digby, and that in it Charles directed that the disbanded army should be brought together again, 'and that an army should immediately be raised in Ireland that should declare for him against the Parliament of England, and to do what was therein necessary and convenient for his service.' Antrim says that he informed Lord Gormanston, Lord Slane, and others in Leinster, and after going into Ulster he communicated the same to many there, but that 'the fools . . . well liking the business would not expect our time or manner for ordering the work, but fell upon it without us, and sooner, and otherwise than we should have done, taking to themselves, and in their own way, the managing of the work, and so spoiled it.'—Cox, *Hibernia Anglicana*, ii. 208.

Jones's *Remonstrance*, 31.

from Mac Mahon, that the projected seizure of the Castle was but a small part of the enterprise. The next morning every Englishman in Dublin was to be slaughtered. All the Protestants in other towns were to be put to death that very night. There is every reason to believe that this promiscuous massacre did not enter into the plan of the conspirators. O'Conolly, and perhaps Mac Mahon as well, had been drinking heavily.¹ Exaggerated or not, the information must have fallen on the Lords

Justices like a thunderbolt. To meet the danger they had at their disposal only 3,000 men, scattered in small detachments over the whole face of the country.

More than twice that number of those soldiers who had been lately disciplined by the King's orders, that they might serve him against his Scottish and, possibly, against his English subjects, were also to be found in Ireland, but they were far more likely to join the rebels than to fight against them. The Government had hardly a shilling to dispose of. The conspirators had chosen a moment when the King's half-yearly rents and dues were still unpaid, and it was now most unlikely that they would ever be paid at all. Of the population of Ireland about nine-elevenths might be reckoned as Catholics by creed, and very nearly as large a proportion as Celtic by race. The city of Dublin had no fortifications, except those of the Castle, and, in deference to the constitutional objections of Parliament, not a single soldier was billeted in the city. It was calculated that in Dublin itself there were fifteen Catholics to one Protestant. The garrison of the Castle consisted of six aged warders and forty halberdiers, maintained for display in ceremonies of State.²

The Lords Justices and the Council did all that was in their power. Maguire and Mac Mahon were seized. Mac Mahon declared proudly that 'what was that day to be done in other parts of the country, was so far advanced by that time, as it was impossible for the wit of man to prevent it.' "I am now in your hands," he ended

Oct. 23.
Seizure of
Mac Mahon
and
Maguire.

¹ O'Conolly's examination, Temple's *Irish Rebellion*, 19.

² Carte's *Ormond*, i. 168.

by saying, "use me as you will. I am sure I shall be shortly revenged."¹

Dublin at least was saved. An able soldier, Sir Francis Willoughby,² was placed in command of the Castle, and made a show of defence which imposed on the multitude till a sufficient garrison could be obtained. For a time the whole city was given up to rumours. It was said that 10,000 rebels were already encamped on the Hill of Tara, seventeen miles from Dublin. At another time it was said that the rebels were actually marching through the streets of the city.³ In truth, the seizure of the leaders had deprived the conspiracy of its guides. The rift between the Catholics of English birth who hoped for a toleration granted by the King, and the Catholics of Irish birth who wished for an agrarian revolution was already to be descried. It was afterwards to widen into a breach which would be fatal to all national action in Ireland.

Anxiously the handful of English Protestants in Dublin waited for news from Ulster. On the night of the 23rd it was known that Monaghan had risen, English posts had been seized, and Englishmen had been plundered. At Newry, where there was a fort, the insurgents had overpowered the garrison, and had armed themselves out of the King's stores. Not a word was heard of the death of a single Englishman. These things, however, had taken place on the south-eastern edge of Ulster. It was impossible for any eye to penetrate through the veil to see what deeds might have been done behind it.

The great difficulty of the Lords Justices was to know what to do with the Catholic Peers. They dared neither trust them nor alienate them. They made a show of confidence by placing in their hands a few arms for the defence of their houses in the country, but they prudently prorogued the Parliament, which was shortly to have

¹ Examination of Mac Mahon, *L. J.* iv. 416.

² The man who had once been challenged by Falkland. See Vol. III. 255.

³ *Temple*, 24.

met. On the 25th they despatched to Leicester an account of
 Oct. 25. all that they as yet knew of their danger.¹

On November 1 the despatch of the Lords Justices was read in both Houses at Westminster. Only one result was

Nov. 1. possible. Under no circumstances was the English
 Feeling in the English Parliament. Parliament likely to feel any sympathy with the
 grievances of the native Irish. In the face of a

rebellion which threatened to sweep away the name and creed of Englishmen from Ireland, there was no room in the minds of Lords and Commons for any feeling save one of wrath and

Vote of Parliament. horror. They voted that 50,000*l.* should be borrowed
 for the suppression of the rebels, that Leicester should

be requested to proceed at once to Dublin, and that 8,000 men should be raised to give effectual help to the colonists. In order that no time might be lost, they directed that volunteers should be invited to give in their names at once for the service.

Having done thus much, the Houses turned their attention to the root of the mischief, which they conceived to lie in the

Nov. 2. Queen's Court. Father Philips was sent for to give
 Imprisonment of Father Philips. evidence before the Lords. He was much alarmed, thinking that Hamilton had betrayed the secret of the Queen's negotiation with Rome. He therefore

raised the preliminary objection that he could not be sworn on the English Bible. The Lords, who knew nothing of the secret which he wished to conceal, took offence, and committed him to the Tower without any further attempt to obtain evidence from him.²

All this was done without a single dissentient voice. On one point opinion was divided. The King, startled with the

¹ The Lords Justices to Leicester, Oct. 25, *Rushworth*, iv. 399. If the Lords Justices had intended to proclaim toleration for the Catholics they might have trusted the Irish Lords, but hardly otherwise.

² *L. J.* iv. 418. Rossetti to Barberini, March $\frac{6}{16}$, *R. O. Transcripts*. It is to be noted that whilst modern writers often dwell on the facility with which Pym accepted false rumours against the Catholics, Rossetti's mind is occupied with fears lest he should come to the knowledge of the true state of the case.

wild shape which his intrigue with the Irish Lords had taken, had asked the Scottish Parliament to assist in the reduction of the rebels. The Scottish Parliament consented, and the English Parliament was asked to accept the offer thus made. Falkland and Culpepper, dreading lest Scottish troops might again give the law to England, raised objections. Their objections were, however, overruled, and the Scots were told that if they would send 1,000 men into Ulster, the English Parliament would willingly take them into pay.¹

On the next day the House proceeded to draw up instructions for the Parliamentary Committee in Scotland. Then Pym rose. He said that he would be surpassed by no man in readiness to sacrifice life and estate in that cause. But as long as the King gave ear to the civil counsellors by whom he was surrounded all that Parliament could do would be in vain. He moved an Additional Instruction, to the effect that unless the King would remove those counsellors and 'take such as might be approved by Parliament' they would not hold themselves bound to assist him in Ireland.

It was a startling proposal. Hyde opposed it as a menace to the King. Waller said that it was a declaration that the House was absolved from its duty, as Strafford had declared the King to be absolved from all rules of government. Waller was forced to ask pardon for his words, but it would seem that even Pym's own followers refused to support him further, as he was obliged to consent to the adjournment of the debate.² On the following day the House

¹ *Nelson*, ii. 600. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 60 b.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 100 b. It is extremely difficult to realise Pym's position with respect to the Popish Plot. We do not know how much he knew, and we certainly do not ourselves know all. Here, for instance, is a sudden half-light thrown by a letter of Cardinal Barberini's. After speaking of the treatment of the King by the Scottish Parliament, he adds 'et il Principe d'Oranges stia con non puoca affitione dovendo mandare il figlio in Inghilterra, sapendo che vi manda incerto se

deliberately rejected his motion.¹ On the 8th he reproduced it in a modified form. After a complaint that the miseries of

Nov. 8.
Pym modifies his proposal.

past years had originated in the malice of persons admitted into very near places of council and authority about the King, and that there was strong reason to

believe that others had been 'contriving by violence to suppress the liberty of Parliament, and endanger the safety of those who have opposed such wicked and pernicious courses,' the Commons were asked to declare that they feared lest the same persons would divert the aids granted for the suppression of the rebellion in Ireland 'to the fomenting and cherishing of it there, and encouraging some such like attempts by the Papists

The King to name ministers approved by Parliament;

and ill-affected subjects in England.' They were therefore humbly to beseech his Majesty 'to employ only such counsellors and ministers as should be approved by his Parliament.'

otherwise the Commons to provide for Ireland without the King.

"If herein," the Commons were further to say, "His Majesty shall not vouchsafe to condescend to our humble supplication—although we shall always continue, with reverence and faithfulness to his person and to the Crown, to perform those duties of service and obedience to which by the laws of God and this kingdom we are obliged—yet we shall be forced, in discharge of the trust

potrà riportarne in quà la spesa et forze del ritorno del medesimo figliolo.'

Barberini to Rossetti, Nov. ¹³/₂₃, *R. O. Transcripts*. What can be meant by this except that the young Prince was to have come to England with ulterior designs, in some way to help Charles after a successful return from Scotland? Barberini says that he derived his knowledge from France.

Again in a letter of ^{Dec. 26}/_{Jan. 5}, Rossetti says that when the King was in Scotland he wished to form a good council of war 'di gente di Regno et ancora di forastieri.' Of the former he applied to Bristol, Lennox, Winchester, and Clanrickard 'e benchè questi due fussero Cattolici se sentiva però dal Rè volentieri il loro parere, mostrando medesimamente S. M^{ta} propensione grande verso gl' Hibernesi.' Of the foreigners the Prince of Orange was chiefly thought of 'ancorche al presente non si sappia, come si scrive, che cosa possa succedere del matrimonio, et anche fu parlato del Duca di Buglione et si stimava buon' soldato il Duca della Valletta.'

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 108 b. C. 7. ii. 301.

which we owe to the State, and to those whom we represent, to resolve upon some such way of defending Ireland from the rebels, as may concur to the securing of ourselves from such mischievous counsels and designs as have lately been and still are in practice and agitation against us, as we have just cause to believe; and to commend those aids and contributions which this great necessity shall require, to the custody and disposing of such persons of honour and fidelity as we have cause to confide in."¹

Thus modified, Pym's Additional Instruction was almost more startling than it had been in its original shape. Culpepper declared that Ireland was part of England, Pym carries his motion. and ought to be defended whatever might be the result. Even D'Ewes argued that, if a neighbour's house were on fire it would be the duty of those who were near to quench the conflagration without a preliminary inquiry into the moral character of the householder. Pym, however, held his ground, and carried his resolution by the considerable majority of 15: to 110.²

Undoubtedly no proposal of so distinctly revolutionary a character had yet been adopted by the Commons. The Act Revolutionary character of the proposal. taking away the King's right of dissolution had, after all, left Charles in possession of such powers as law and custom had confided to him. The Additional Instruction seized upon the executive power itself, so far at least as Ireland was concerned. Yet it would be hard to say that Pym was not justified in what he did. No doubt he exaggerated the mischief which Charles's counsellors were likely to do. But, after every allowance has been made, the fact remains that for the space of a whole year, Charles's relations with Parliament had been one long intrigue. The probabilities of his future action had to be estimated with the help of the knowledge gained of his character through the two Army Plots and the Incident. It can now hardly be doubted that Charles would not have submitted to that which he regarded as the unconstitutional authority of Parliament a moment longer than he could help.

¹ *L. J.* iv. 431.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 108 b.

Yet even those who admit that this was true, may ask whether Pym was wise in deciding to anticipate the conflict. Every effort which Charles had hitherto made to bring force to bear on Parliament had failed miserably. Every detected plot had only served to bring into clearer light the unanimity of both Houses and of both parties in the face of such dangers as these. Neither Hyde nor Falkland in the Commons, nor Bristol in the Lords, had any wish to see Parliament the mere creature of the King. Up to the end of October, greatly as the strain of this situation would have tried the patience of the most enduring statesman, Pym's wisest course undoubtedly had been to stand on the defensive, relying on the nation itself to resist any rash act of the King's. Charles had no longer any military force openly at hand ; and even if he thought himself able to rely on some occult support, it was in the highest degree improbable that he would have skill enough to avail himself of it at the critical moment.

Since the last week in October all such considerations had lost their weight. Whatever else might be the result of the Irish Rebellion, it was certain that a new army must be called into existence to suppress it, and that if this army were officered by the King's creatures, it would be dangerous to the Parliamentary liberties of England. The risk of military violence from the discredited, ill-disciplined army of the North in the spring and summer was nothing to the risk of military violence if it was to come from an army flushed with victory and steeled to discipline under leaders which it had learned to trust. It might be argued indeed that the suppression of the rebellion was a matter of such transcendent importance that the House was bound to run the risk of seeing the establishment of a military despotism in England rather than interpose the slightest delay in the transmission of succour to the endangered colony. Such, however, was not the view of Pym, and those who adopt it must carry the argument into a region too purely speculative to make it in any way necessary to follow them.

Nor was it only in respect to Ireland that the majority of the Commons was laying hands on the executive powers. Two

Was Pym
wise in
making it?

An army
necessary.

days earlier Cromwell had carried a motion that the Lords should be asked to join in a vote giving Essex power from the House to command the trained bands south of the Trent in defence of the kingdom. It is true that this was only what Essex had authority from the King to do; but the addition of a clause 'that this power' might 'continue till this Parliament shall take further orders' was an open attack on the prerogative.¹

Nov. 6.
Cromwell
moves to
entrust
Essex with
power over
the trained
bands.

Whether Pym's motion were justifiable or not, it was the signal for the final conversion of the Episcopalian party into a Royalist party. That party, in a minority in the Commons, was in a majority in the Lords. To baffle the Puritans had now become its chief object. For the sake of that it was ready to trust the King, and to take its chance of what the Irish campaign might bring forth. On the religious ground there was no longer any hope of compromise. Neither party had sufficient breadth of view to perceive the necessity of giving satisfaction to the legitimate demands of the other.²

Nov. 8.
The Epis-
copalian
party now
Royalist.

Diffident of support in the Upper House, the leaders of the majority in the Commons fell back upon the people. The often-proposed and often-postponed Remonstrance was read in the Lower House before the close of the eventful sitting of the 8th, and it was ordered that its consideration, clause by clause, should commence on the following day.

The Re-
monstrance
read.

In the oblivion which falls even upon the proceedings of

¹ C. X. ii. 305. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 106 b.

² The state of feeling in the Upper House is well expressed in the following extract :—"The Bill for removing the bishops out of our House sticks there, and whether we shall get it passed or not is very doubtful, unless some assurance be given that the rooting out of the function is not intended. The House of Commons have made a Remonstrance," *i.e.* the Additional Instruction, "and have desired us to join them in it, wherein they do, in the general, humbly pray His Majesty that he would be pleased to change his counsels, and for the future not to admit of any Councillor or Minister of State, but such as the Parliament shall approve of, and may confide in. This stops likewise in our House, and I believe will hardly pass with us without some alteration."—Northumberland to Roe, Nov. 12, *S. P. Dom.*

the most famous of Parliaments, this Remonstrance—the Grand Remonstrance, as posterity has agreed to call it—stands out as the starting-point of a new quarrel. To the historian, it is but a link in the chain of causation which was hurrying the nation into a civil war. So much of it as related to religion was an answer to the King's declaration in support of the doctrine and discipline of the Church which had recently been circulated amongst the Peers.¹ In political matters it merely defined the position taken up by the Commons in the Additional Instruction. That which specially distinguished it, was the intention of its framers to use it as an appeal to the nation, rather than as an address to the Crown.

It was not in the nature of things that a document thus prepared should contain a purely uncoloured description of past events. If Charles had drawn up a similar narrative it would probably have been stained by equal exaggeration. Even writers the most prejudiced in favour of Royalty, if they only look facts in the face, have to assign a large share of blame for the misfortunes of this reign to Charles himself. It is no wonder that the authors of the Remonstrance assigned to him the whole. It was not to be expected that they should have discovered that they had themselves made many mistakes, and were likely to make many more, or that they should have avoided exaggerating the importance of that Catholic intrigue which, as we now know, was no mere creation of their own fancy.

The root of the mischief, they said, 'was a malignant and pernicious design of subverting the fundamental laws and principles of government, upon which the religion and justice of the kingdom' were 'firmly established.' This design was entertained by the Papists, the bishops, and the evil counsellors. These men had fomented differences between the King and his people, had suppressed the purity and power of religion, had favoured Arminians, and had depressed those whom they called Puritans. They had countenanced 'such opinions and ceremonies' as

Attack on
the Catho-
lics, the
bishops, and
the evil
counsellors.

¹ See page 39.

were 'fittest for accommodation with Popery, to increase ignorance, looseness, and profaneness in the people.' Further, they had done their best to alienate the King from his subjects by suggesting other ways of supply than 'the ordinary course of subsidies.'

If this was but a caricature, it was at least a caricature founded on truth. Motives were supplied or exaggerated, but the tendency of the acts which had been done was very much what the Remonstrance alleged it to have been.

Then followed a long list of enormities, commencing with the very beginning of the reign. The Remonstrance told of the hasty dissolution of the Oxford Parliament, of the disasters of Buckingham's government, the breach of the privileges of the Commons, the imposition of unparliamentary taxation, the tyranny of the Ecclesiastical Courts, the imposition of a new Prayer Book on Scotland, followed by violent action against the Scots, and by the dissolution of the Short Parliament for its refusal to abet the designs of the Court against its brethren in the North. Then came a list of the good deeds of the existing Parliament. Wrong and oppression had been beaten down, and had been made legally impossible in the future. What was now needed was security. The authors of the two Army Plots had been busy in Ireland, and had 'kindled such a fire as nothing but God's infinite blessing upon the wisdom and endeavours of this State had been able to quench it.'

After this came a complaint against the bishops, and against the recusant lords who had returned to their places after the excitement about the Protestation had cooled down. They were charged with frustrating all the efforts after reformation made by the Commons.

What were these efforts after reformation? On this all-important point, Pym had as little chance of arriving at a satisfactory solution as Hyde. He was animated by no large spirit of comprehension or toleration. He had no broad remedy to propose, which would give to all men as much as they could legitimately claim. He was as unready to listen to Brooke's plea for the worship of the conventicle, as he was un-

Acts of
Charles's
government
recounted

Complaint
against the
bishops and
the recusant
lords.

ready to listen to Hyde's plea for the worship of the cathedral From one party as loudly as from the other was heard the cry for uniformity of doctrine and discipline.

"They infuse into the people," said the authors of the Remonstrance, "that we mean to abolish all Church government, and leave every man to his own fancy for the service and worship of God, absolving him of that obedience which he owes under God unto His Majesty, whom we know to be entrusted with the ecclesiastical law as well as with the temporal, to regulate all the members of the Church of England, by such rules of order and discipline as are established by Parliament, which is his great council in all affairs, both in Church and State.

The Commons are calumniated.

"We confess our intention is, and our endeavours have been, to reduce within bounds that exorbitant power which the prelates have assumed unto themselves, so contrary both to the Word of God and to the laws of the land, to which end we passed the Bill for the removing them from their temporal power and employments ; that so the better they might with meekness apply themselves to the discharge of their functions, which Bill themselves opposed, and were the principal instruments of crossing.

Their plan of Church discipline.

"And we do here declare that it is far from our purpose or desire to let loose the golden reins of discipline and government in the Church, to leave private persons or particular congregations to take up what form of Divine service they please ; for we hold it requisite that there should be throughout the whole realm a conformity to that order which the laws enjoin according to the Word of God. And we desire to unburden the consciences of men of needless and superstitious ceremonies, suppress innovations, and take away the monuments of idolatry.

"And the better to effect the intended reformation, we desire there may be a general synod of the most grave, pious, learned, and judicious divines of this island, assisted with some from foreign parts professing the same religion with us ; who may consider of all things necessary for the peace and good government of the Church, and represent the results of their

consultations unto the Parliament, to be there allowed and confirmed, and receive the stamp of authority, thereby to find passage and obedience throughout the kingdom."

The whole contention of the party of the Grand Remonstrance, the whole root of the baleful tree of Civil War, lay in these words. "The malignant party," they went on to say, "tell the people that our meddling with the power of Episcopacy hath caused sectaries and conventicles, when idolatry and Popish ceremonies introduced into the Church by command of the Bishops have not only debarred the people from thence, but expelled them from the kingdom. Thus, with Elijah, we are called by this malignant party the troublers of the State, and still, while we endeavour to reform their abuses, they make us the authors of those mischiefs we study to prevent."

"No Popery!" was the cry on one side. "No sectarian meeting!" was the cry on the other. "No toleration!" was the cry on both.¹

In the face of such divisions of heart and mind every claim for increase of political power had the ring of faction in it.

Yet it was impossible that the demand made in the Additional Instruction should be passed over in the Remonstrance. Charles was asked to employ such councillors, ambassadors, and other ministers in managing his business at home and abroad as the Parliament might have cause to confide in. Otherwise no supplies could be given. It would not be enough to allow the right of impeachment. "It may often fall out that the Commons may have just cause to take exceptions at some men for being Councillors, and yet not

Position
taken up.

Demand for
a responsible
ministry.

¹ A contemporary letter well brings this out. "Troubles . . . I believe will not yet cease until the business of religion be better settled, and the sectaries and separatists (whereof in London and the parts contiguous are more than many) may be suppressed and punished. . . . Oft times we have more printed than is true, especially when anything concerns the Papists, who (though they are bad enough) our preciser sort strive yet to make them worse, and between them both are the causes that in no discoveries we can hardly meet with the face of truth."—Wiseman to Pennington, Nov. 11, *S. P. Dom.*

charge those men with crimes, for there be grounds of diffidence which lie not in proof. There are others which, though they may be proved, yet are not legally criminal."

Politically Pym—and Pym may fairly be regarded as the main author of the Remonstrance—was far in advance of his opponents. The position which had been taken by the Houses, with the full consent of both parties, was incomplete without the subordination of the Executive to Parliament. If Pym was in the wrong, it was not here that his mistake was made.

On the 9th the Remonstrance underwent a closer examination. Fresh paragraphs were added, embodying additional grievances which had been omitted in the original draft. No opposition, so far as is now known, was offered to those clauses in which the King's past misgovernment was set forth in detail. During the discussion of the first two days not a single division is reported to have been taken.¹

Once more the attention of the House was called off by bad news from Ireland. Before the first week of the rebellion was over it had developed itself in the direction of that savagery which inevitably attends the uprising of a population suffering under grievous wrongs, without the habit of self-restraint which is the most precious fruit of the higher civilisation. It is true that on October 24 Sir Phelim O'Neill made known by proclamation that no harm was intended either against the King or against any of his subjects.² It is just possible that in some dreamy way he may have contemplated a revolution in which all wrongs should be righted without effusion of blood. The fact was far otherwise. There was, indeed, no general massacre in the North.³ The Scots who formed the majority

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 116 b. 121 b.

² Proclamation, Oct. 24. *S. P. Ireland.*

³ If a general massacre had taken place, it must have left traces in the *Carte MSS.* and the *State Papers.* On Sir John Temple as an authority, see Lecky, *Hist. of England*, ii. 149. I take this opportunity of expressing my extreme admiration for Mr. Lecky's account of the Irish Rebel-

of the colonists were spared, apparently on some notion that, the cause of nationality being common to Scotland and Ireland, they were not to be regarded as enemies. Nor were the English put to the sword in a body. The condition of the settlers was, however, scarcely less pitiable. In the first week of the rebellion the greater part of the fortified posts in the North of Ireland fell into the hands of the rebels. Freed from apprehension the wild multitude swooped down upon every English homestead, and thrust out the possessors to fare as best they might. It was not in the nature of things that violence should stop there. Two classes of Englishmen were specially exposed to danger—the officials who had enforced the payment of dues to the Crown, and the clergy who had drawn their maintenance from an impoverished people of another faith. From these classes victims were early chosen. A far larger number fell a sacrifice to the wild brutality of ferocious and excited mobs than to any deliberate purpose of vengeance. Worst of all were the deeds of the Maguires in Fermanagh. Exasperated by the imprisonment of Lord Maguire, they killed, if report spoke truly, no less than three hundred English on the first day of the outbreak. Even when the leaders of the natives were inclined to spare the prisoners, they were unable to secure them against the brutality of their followers. It sometimes happened that the guard appointed to conduct the former masters of the soil to a place of safety, was driven off by the rude country-people, and the sad procession, clogged with helpless women and children, found its close in murder. No attempt was made to bury the victims. The stripped corpses lay about till the hungry dogs left nothing but scattered bones to bleach on the ground.¹

lion. Having examined a large mass of original material amongst the *State Papers* and the *Carte MSS.*, I have been surprised to find how, even when he has not himself gone through the work of reference to MS. authorities, he almost always contrives to hit the truth.

¹ Deposition of T. Grant, Feb. 9, 1642 (*Carte MSS.* ii. fol. 346). The deponent, who was examined on oath, says that, being in Fermanagh on Oct. 23, he heard that Mr. Champion was killed and his company murdered. He himself escaped, and, being retaken, was carried to Clones to

In Cavan, on the other hand, Philip O'Reilly, who headed the rebellion, set his face against cruelty and murder. In Bel-
State of
Cavan.
turbet, he gave leave to about 800 English settlers to carry some of their property with them. A mixed multitude of men, women, and children, set out for Dublin. "That night"—so the Rector told the story in after years—"we all lay in open field. Next day we were met by a party of the rebels, who killed some, robbed and spoiled the rest. Me they stripped to my shirt in miserable weather; my wife was not so barbarously used; both of us, with a multitude of others, hurried to Moien Hall. That night we lay in heaps, expecting every hour to be massacred." At last they reached Kilmore, where they were received by Bedell, in whose conversation they enjoyed for three weeks 'a heaven upon earth.' Three weeks later they were sent on to Dublin, where they
The fugitives
from
Belturbet.
arrived personally unhurt.¹ Another body of fugitives from the neighbourhood of Belturbet said to have amounted to 2,000, was sent on under a guard of 200 Irish. For eight or ten miles the guards performed their duty well. Then they found that the whole country-side was roused. The warm clothes of the hated English would be a precious possession in the cold winter nights which were approaching. It was but a moment's work to rush upon the helpless crowd, to strip both men and women to the skin, and to send them on in their misery. Irish women and Irish children rushed to the spoil even more savagely than the men. If compassion left to some of the poor creatures a bare rag wherewith to cover their nakedness, it was snatched away when the next hovels were reached. About a hundred perished on the way from cold and hunger. The remainder were hounded on with fiendish mockery to Dublin, the city of refuge. One who told

be hanged, but was reprieved. He then mentions hearing of the hanging or twenty-one English prisoners at Carrigmacross, of two others at Monaghan, of the murdering of nineteen persons elsewhere. The mention of these particulars shows that he did not know of a universal massacre.

¹ Thus far the story is taken from the letter of the Bishop of Elphin to Ormond, May 4, 1682, *Carte MSS.* xxxix. 365. At the time of the Rebellion the Bishop was Rector of Belturbet.

the tale gave thanks to God that, as amongst the shipwrecked companions of St. Paul, 'some came to land on planks, some on broken pieces of the ship, so some have passed these pikes, some with torn clothes and rags, some with rolls of hay about their middles, some with sheep-skins and goat-skins, and some of the riflers themselves exchanged their tattered rags for the travellers' better clothes.'¹

Other more deliberate murders were perpetrated over the face of Northern Ireland. Protestant ministers and Protestant settlers were hung or stabbed. Unless the belief of those who escaped far outran the reality, simple death would have been to many a dearly prized relief. It was at least believed that noses and ears were cut off in sheer brutality, that women were foully outraged, and that 'some women had their hands and arms cut off, yea, jointed alive to make them confess where their money was.'² At Portadown a large number of persons were flung from the bridge into the river to drown. At Corbridge a similar tragedy was enacted. Tales of unimaginable brutality were afterwards collected from the mouths of those who had escaped from those awful scenes—tales swollen, we may hope and believe, by the credulity of fear, and which were often exaggerated by the credulity of superstition. The same testimony that was taken as evidence of the murders was taken as evidence of the visible appearance of the ghosts of the murdered. Statements were collected from excited fugitives, ready to believe the worst, and to tell all that they had heard, as well as all that they knew, perhaps under pressure from Commissioners who were anxious that the story which they elicited should be as horrible as it could be. It does not, however, follow that all was pure invention or the result of credulity. There is nothing to make the commission

¹ *A Brief Declaration of the Barbarous and Inhuman Dealing of the Northern Irish Rebels.* By G. S., Minister of God's Word in Ireland, E. 181. This was written soon after the Rebellion broke out, and has about it a moderation which inspires confidence. It is probable that the number of the fugitives is over-estimated, and it is possible that some of the 800 mentioned by the Bishop of Elphin made part of the body.

² This is from the *Brief Declaration.*

of these barbarous actions antecedently improbable, and the historian may be content to record his belief that if any truthful narrative of those days could be recovered, it would be found to support neither the views of those who argue that the tales of unnatural cruelty are entirely to be rejected, nor of those who would admit every one of them as satisfactorily proved.¹ Terrible as these scenes were, the victims were for the most part those who were driven naked through the cold November nights amidst a population which refused to them a scanty covering or a morsel of food in their hour of trial. To the Irish it seemed mercy enough when no actual blow was struck against the flying rout. Men hardly beyond middle age could remember the days when Mountjoy had harried Ulster, and when the sunken eye and the pallid cheek of those who had been dearest to them had told too surely of the pitiless might of the Englishman.

Of the number of the persons murdered at the beginning of the outbreak it is impossible to speak with even approximate certainty. Clarendon speaks of 40,000, and wilder estimates still give 200,000 or even 300,000. Even the smallest number is ridiculously impossible. The estimated numbers of the Scots in Ulster were 100,000, and of the English only 20,000. For the time the Scots were spared. In Fermanagh, where the victims fared most badly, a Puritan officer boasted not long afterwards that he had rescued 6,000. Thousands of robbed and plundered fugitives escaped with their lives to find shelter in Dublin. On the whole, it would be safe to conjecture that the number of those slain in cold blood at the beginning of the rebellion could hardly have much

How many persons were murdered?

¹ Mr. Gilbert, in the *Eighth Report of the Hist. MSS. Commission*, has given an account of the celebrated *Depositions*. They will, however, soon be accessible in print, as they are being edited by Miss Mary Hickson. I am sorry that I have been unable to procure a sight of them before sending these pages to the press. Mr. Sanford (*Studies*, 429), speaking of the alleged appearance of ghosts, says :—"Because the terrified witnesses deposed to having seen this, we are therefore," he is writing ironically, "to believe that no massacres took place ; as if the very fact of their imaginations being wrought up to fancying such sights were not the strongest proof that some horrible deed had been perpetrated in their presence."

exceeded four or five thousand,¹ whilst about twice that number may have perished from ill-treatment. Before long the tale of woe from Ireland would resound through England, in a wildly exaggerated form. The letters read at Westminster on November 11 showed that even the full extent of the real calamity was as yet unknown in Dublin ; but they told of Englishmen being spoiled and slain, and they declared that, if substantial relief were not soon afforded, Ireland would be lost and all its Protestant population would be destroyed. This was all that needed to be told in English ears. The Remonstrance was flung aside for a time, and the energy of both Houses was directed to the suppression of the Irish Rebellion. The younger Vane moved that the House should go into committee to consider a present supply for Ireland. Henry Marten and his irreconcilable friends declared against him, but this time Vane's Episcopalian opponents ranged themselves by his side,² and he carried his motion by 98 to 68. As soon as the committee had been formed, Strode called out that the debate should be postponed till the Remonstrance had been circulated in the country.³ The House wanted to hear about Ireland, and not about the Remonstrance. It voted that 10,000 foot and 2,000 horse should be sent from England, and that the Scots should be asked to furnish 10,000 men, instead of the 1,000 which had been originally proposed. To all this the Lords

¹ Warner (297) gives 4,028 as the number of all those stated, on every evidence, to have been murdered, and about twice as many to have perished in other ways. This was upon evidence collected within two years, and probably includes later murders. Miss Hickson tells me that she estimates from the depositions the whole number slain and allowed to die of starvation in the first two or three years as 20,000 or 25,000. The lesser estimate would not be far above Warner's statement, which refers to a shorter period of time, and gives 12,000 in all. Compare Mr. Lecky's investigations (*Hist. of Engl.* ii. 145).

² Strangways was one of his tellers.

³ Mr. Strode, says D'Ewes, 'moved against the order of this Committee that,' &c. In order to make this more dramatic, Mr. Forster turned this into "Sir, I move against the order of the Committee that," &c. Of course D'Ewes meant that Strode was out of order.

gave their assent, as well as to so much of the Instructions to the Committee in Scotland as referred to the military arrangements. But they resolved to postpone to a more convenient season the consideration of the Additional Instruction, which was intended to limit the King's constitutional power of appointing ministers without the consent of Parliament.¹ It seemed as if Pym would fail in securing the support of either House for the constitutional change which he had proposed.

The next day the tide was running in the same direction. The Commons had voted that 2,000 English troops should be sent at once, under Sir Simon Harcourt. They were then asked to request that the Scots should cross the sea at the same time. In this way the balance of force would be altered in favour of Puritanism. The Episcopalians took alarm, and proposed to limit the demand to 1,000. They carried their point by the large majority of 112 to 77.²

Reliance on Scottish assistance was plainly not popular even in the House of Commons. The Common Council of the City was ready to support Pym. It declared its readiness to lend the sum which was needed for the Irish expedition. It asked in return for relief from certain grievances. Members of Parliament, especially the members of the House of Lords, had been in the habit of granting protections to their servants, to shield them from their creditors. What had been but a temporary inconvenience to a City tradesman, when the longest session seldom exceeded six months, became a formidable burden in times when no one could tell through how many years a single session might be prolonged. On this matter the Commons were not likely to stand in the way of justice, and they pushed forward a Bill which was intended to remedy the

¹ *L. J.* iv. 435. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 132 b.

² The meaning of the division is evident from the names of the tellers—Hupton and Strangways for the majority, Erle and Marten for the minority.

evil. Having first set forth their own complaints, the citizens asked that the persons of the Catholic Lords might be secured, and that the bishops, who were the main obstacles to the passage of good laws in the Upper House, might be deprived of their votes. If this declaration expressed the real sense of the City, all the efforts of Charles's partisans to win London to their side would be made in vain.

The declaration of the City was the turning-point in the struggle. It came just after the impeached bishops had put in their answer in the House of Lords. It may be that the discovery that the City supported Pym's views influenced some votes in the Commons. At all events, on the 13th they not only voted that the bishops' answer was frivolous, but they reconsidered their determination to restrict the immediate supply of Scottish troops to 1,000. They now resolved to ask for as many as 5,000, though 3,000 had been thought too much on the day before. Before night this proposal was agreed to by the Lords.¹

In these last conflicts Hampden had been once more by the side of Pym. He had left Fiennes behind him at Edinburgh, and had hastened back to throw himself heart and soul into the Parliamentary struggle. With him there was no looking back. What he had seen in Scotland seems to have confirmed him in the belief that Charles could not be trusted.

As soon as the immediate wants of Ireland had been provided for, the Remonstrance was once more taken up. On the 15th and 16th it finally passed through committee.² As might have been expected, the only real struggle was over the ecclesiastical clauses. One of these, as originally drawn, complained of the errors and superstitions to be found in the Prayer Book. The Episcopalians

Nov. 13.
The City
declares
against the
Catholic
Lords and
the bishops.

Hampden at
West-
minster.

Nov. 16.
The Re-
monstrance
through
committee.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 142 b.

² These were the third and fourth sittings. Mr. Forster intercalates (*The Grand Remonstrance*, 205) a fierce and long debate on the 12th which never existed except in his own imagination. The Commons were engaged on that day in discussing the question of sending troops to Ireland.

mustered in such strength that their opponents were fain to submit to the excision of these words. They then proposed an amendment justifying the use of the Prayer Book 'till the laws had otherwise provided.' This alteration, however, they failed to carry, though they succeeded in preventing the insertion of an announcement that the Commons intended to dispose of the lands of the bishops and deans. Equally balanced as the parties appeared to be, the next effort of the Episcopalians was signally defeated. A statement that the bishops had brought idolatry and Popery into the Church was opposed by Dering, but was retained by the large majority of 124 to 99. The probable explanation is, that some members were in favour of the retention of the Prayer Book, who were not unwilling to pass a bitter condemnation on the past proceedings of the bishops.¹

During the last two days the attention of the House had not been entirely absorbed by the Remonstrance. The horrors of the Irish Rebellion had revived the belief in a great Popish Plot for the extinction of Protestantism in the three kingdoms. There was doubtless a singular opportuneness in the circulation of the rumours which sprang up just at the time when the fate of the Remonstrance was at stake, and it is quite possible that Pym and Hampden did not at this moment care to scrutinise so closely the tales which reached their ears as they might under other circumstances have done. But it must not be forgotten that a real plot existed; and with Pym's knowledge of much—we cannot tell of how much—of the Queen's subtlest intrigues, he could hardly venture to disregard any information, however trivial it might seem.

On the 15th the Speaker informed the House that two priests had been taken. The House ordered that they should be proceeded against according to law. In the meanwhile

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 153. All through his notes of this debate, D'Ewes speaks of his opponents as the party of Episcopacy, or the Episcopalian party. The words are in cypher, and have not been noticed by Mr. Forster. Mr. Sanford (*Studies*, 137) mentions them, but does not appear to have seized their importance.

the Lords were engaged in examining one Thomas Beale, a tailor, who asserted that he had overheard some persons talking of their intention to murder no less than 108 members of the two Houses, and of a general rising to take place on the 18th.¹ Further inquiry was ordered by the Lords, where the majority was, at all events, not Puritan. After that, a letter was read in the Commons, to the effect that fresh fortifications had been raised at Portsmouth, that a Frenchman had been constantly passing up and down between that town and Oatlands—in other words, between Goring and the Queen—and that, lastly, ‘the Papists and jovial clergymen there were merrier than ever.’²

The Commons resolved to prepare an ordinance for putting the trained bands in a posture of defence under Essex in the south and Holland in the north, “and for securing the persons of the prime Papists.” The Lords recoiled from trenching so far upon the authority of the King, and it was only after some hesitation that they agreed to bring in a Bill to give effect to the wishes of the other House in respect to the recusants, whilst they amended the ordinance by the insertion of words implying that no powers were conferred upon Essex and Holland in excess of those which had been given to them by the King’s commission.³

Nothing could be made of Beale’s story. Goring, being summoned to give an account of the state of Portsmouth, unblushingly declared that there was no truth whatever in the current rumours.⁴ Other charges against the Court could neither be denied nor explained away. On the 17th the evidence was read before the House of Commons, which put it beyond doubt that, in the second Army Plot, Legg had been the bearer of a petition to which the King’s initials were affixed, in which the soldiers were expected to express their detestation of the leading members,

Nov. 17.
Charles
inculpated.

Nov. 15.
Two priests
captured.

Rumours of
plots.

Nov. 17.
Precautions
recom-
mended by
the Com-
mons.

¹ *L. J.* iv. 439.

² D’Ewes’s Diary, *Harl. MSS.* clxii. fol. 151 b.

³ *L. J.* iv. 445–450.

⁴ D’Ewes’s Diary, *Harl. MSS.* clxii. fol. 167 b.

and to declare their readiness to march to London to suppress the tumults which those leaders had raised.¹

The reading of this and other evidence was followed by a vote that it was proved 'that there was a second design to bring up the army against the Parliament, and an intention to make the Scottish army stand as neutral.'²

No doubt the production of this charge at such a moment was intended by Pym to influence the voting on the Remonstrance. In fact, its truth formed the strongest argument in behalf of the unusual course which he was taking. In the face of a King who had recently appealed to military force, and who would soon have an opportunity of appealing to it again, it was necessary somewhat to shift the balance of the constitution. No doubt Charles might reply that he had only called on the army to repress tumults. The answer was obvious, that the tumults had been subsequent to a former appeal to the army.³

The way having thus been cleared, the House was ready for its last debate on the amended Remonstrance. There had been some intention of bringing the Remonstrance forward on the 20th. But the hour was late before it was reached. Its opponents asked for delay. Its supporters did not anticipate much further trouble. "Why," said Cromwell to Falkland, "would you have it put off?" "There would not have been time enough," was the reply, "for sure it will take some debate." "A very sorry one," said Cromwell, contemptuously.⁴ He did not reckon on the resistance which would be aroused by the proposal to appeal to the people apart from the statements contained in the Remon-

Nov. 20.
Expectation
that there
will be no
great debate
on the Re-
monstrance.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 157 b.

² *C. J.* ii. 318.

³ Mr. Forster here introduces a debate, on the Remonstrance as taking place on the 19th. Neither the *Journals* nor D'Ewes know anything of any such debate. Among Dering's speeches, indeed, there is one said to have been delivered on the 19th; but internal evidence shows this to have been a misprint for the 16th.

⁴ *Clarendon*, iv, 51. This cannot, of course, be taken for more than a mere reminiscence.

strance itself. In the end it was resolved that the reading of the manifesto of the Commons should be proceeded with at once, but that the debate on it should be fixed for the 22nd.¹

At noon on the appointed day the discussion opened. Some few alterations, for the most part merely verbal, were

Nov. 22.
Final debate
on the Re-
monstrance. made, but in the main the Remonstrance was to be accepted or rejected as it stood when it left the committee. A special attempt to expunge the clause which spoke of the Bishops' Exclusion Bill in terms of commendation, was made and failed. In the general debate the

Arguments
of its oppo-
nents. speeches of the Royalist-Episcopalian party are dis-appointing to the reader. Hyde positively declared that the narrative part of the Remonstrance was true, and in his opinion modestly expressed, but that he thought it a pity to go back so far in the history of the reign. Falkland complained of the hard measure dealt out to the bishops and Arminians. Dering took the same line. Many bishops, he said, had brought in superstition, but not one idolatry. If the prizes of the lottery, as he called the bishoprics, were taken away, few would care to acquire learning.

Culpepper, for whom the ecclesiastical side of the question had little attraction, argued that the Commons had no right to draw up such a Remonstrance without the concurrence of the Lords, and no right at all to send it abroad amongst the people. Such a course, he said, was "dangerous to the public peace."

Such arguments were effective enough as criticism; but they were not the arguments of statesmen. Not one of these speakers even sketched out a policy for the future. Not one of them took any comprehensive view of the difficulties of the situation, or gave the slightest hint of the manner in which he proposed to deal with them.

Against such speakers as these Pym's defence was easy. "The honour of the King," he said, "lies in the safety of the people, and we must tell the truth. The plots have been very near the King, all driven home to the Court and the Popish party." Culpepper's constitutional lore

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 178 b.

had ignored this important fact. Then turning to the fears which he knew to be felt amongst his opponents, Pym expressed his readiness that a law should 'be made against sectaries,' though he could not refrain from adding that many of the separatists who had emigrated to America had been driven from England for refusing to read the Book of Sports. "The Popish lords and bishops," he went on to say, "do obstruct us. . . . We have suffered so much by counsellors of the King's choosing that we desire him to advise with us about it, and many of his servants move him about them, and why may not the Parliament? Altar-worship is idolatry, and that was enforced by the bishops in all their cathedrals. This declaration will bend the people's hearts to us, when they see how we have been used."¹

After Pym sat down, the debate rolled on. But there was nothing of consequence to be added to what had been already said. Men were divided against one another, not so much by what was expressed in their speeches as by what was not expressed. Neither party would trust the other to model the Church according to its will.

The hot debate lasted till midnight. Candles had long ago been brought in, and it was by their dim and flickering light that the fateful vote was taken. The Ayes were 159; the Noes 148. The majority was but 11.² Peard, a strongly Puritan member, moved that the Remonstrance should be printed. The proposal meant that what had all along been intended by its framers should be carried into instant execution. It was to be sent forth as an appeal to the nation against the King. Hyde and Culpepper had already made up their minds as to the course to be taken.³

As soon as the division was announced they offered to enter their protestations. They were told that without the consent of the House it might not be done. The proposal for printing was then waived for the time,

¹ *Verney Notes*, 121.

² Mr. Forster (*Grand Rem.* 316) completely disposes of Clarendon's assertion that many on his side had left the House before the vote.

³ Nicholas to the King, Nov. 22, *Evelyn's Memoirs*, ii. App. 80.

and it seemed as if that long and stormy meeting would at last find an end.

The adjournment of the dispute was not enough for Geoffry Palmer. He rose to press the motion for the entry of a protest Palmer's protest. "in the name of himself and all the rest." In the excited temper of the minority, these rash words kindled a blaze of enthusiasm. Shouts of "All ! All !" rose from every side. Some waved their hats wildly in the air. Others "took their swords in their scabbards out of their belts and held them by their pommels in their hands, setting the lower part on the ground."¹ "I thought," wrote an eye-witness,² "we had all sat in the valley of the shadow of death ; for we, like Joab's and Abner's young men, had caught at each other's locks, and sheathed our swords in each other's bowels."

From this terrible catastrophe the House was saved by Hampden's presence of mind. In a dry, practical way, he asked Palmer 'how he could know other men's minds.'³ The excited and wrathful crowd had their attention thus called away from the general question of the right to protest to the particular question of Palmer's right to speak in their names. Reason had time to re-assert its power, and all further discussion was postponed to another day. At the then unprecedented

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 180.

² Sir Philip Warwick.

³ This is all that D'Ewes says. Mr. Forster treated a remark of the note-taker's own as part of Hampden's speech. It is sad that a writer to whom all students of the period owe so much, can never be trusted in details. In a note at the foot of p. 320, Mr. Forster mentions D'Ewes's allusion to Hampden's "serpentine subtlety" as made on June 10. He should have said the 11th (*Harl. MSS.* clxiii. fol. 306 b). What is of greater importance is, that he agrees with Mr. Sandford in omitting to notice that the passage contains irrefragable evidence of having been written long after the date under which it is inserted, so that it has no weight as contemporary evidence. "Mr. Edward Hyde," wrote D'Ewes, "a young barrister of the Middle Temple (knighted afterwards upon the 25th day of March, 1643), made Chancellor of the Exchequer, and a Privy Councillor." It is evident from this that D'Ewes's remark was a mere afterthought after he had separated politically from Hampden. This may prove a warning against placing implicit reliance on D'Ewes's comments on persons.

hour of four in the morning the members poured forth unharmed.¹

As they trooped out, Falkland asked Cromwell, 'whether there had been a debate.' "I will take your word for it another time," was the answer. "If the Remonstrance had been rejected, I would have sold all I had the next morning, and never have seen England any more; and I know there are many other honest men of this same resolution."²

It is likely enough that the two men never exchanged words again. With all his largeness of heart, Falkland had shrunk back, as Sir Thomas More had shrunk back before him, from the heat and dust of conflict, and had narrowed his intellect within the formalities of a Hyde and a Culpepper. Cromwell saw but part of the issue before his country, but what he saw he saw thoroughly. The strong Puritan faith of himself, and of those who felt as he did, was not to be crushed down by constitutional traditions. What was fair and just to those who cherished the doctrine and discipline of the Church of England he did not care to inquire; but he had clearly made up his mind what was to be done for those who regarded that doctrine and discipline as no more than another name for superstition. If the King and the House of Lords told them that there was no place for them in the English Church, they would appeal to the nation itself. If that appeal were made in vain, there was shelter for them beyond the Atlantic.

The Grand Remonstrance was to these men something far greater than a constitutional document. For them it was a challenge put forward on behalf of a religious faith. It is in vain to regret that the struggle which was at hand was not to be waged on mere political grounds. Political constitutions are valuable so far as they allow free play to the mental and spiritual forces of a nation. If each side in the conflict was in the right when it stood on the defensive, each side was in the wrong when it took the offensive.

No king, said one party, shall rob us of our religion. No

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 179.

² *Clarendon*, iv. 52.

Parliamentary majority, said the other party, shall rob us of our religion. It was this, and this only, which gave to the great struggle its supreme importance. Neither party was contending for victory alone. Both were contending as well for that which was to them a Divine order of things in the world. No voice—alas! not even Falkland's—was raised to direct them to that more excellent way which might have led them in the paths of peace.

The Civil War was all the nearer for that night's work. It was the apprehension of this that roused the deeper feelings of the members in the discussion on the right of protest. The majority had made up their minds on the subject. On the 25th it was voted that Palmer should be sent to the Tower. There he remained for twelve days, after which he was released on making submission to the House. The question of the right of protest seemed to be sufficiently settled in this practical way, and for some time nothing further was said about the matter.

Nov. 25,
Palmer
ordered to
be sent to
the Tower.

CHAPTER CII.

BALANCED FORCES.

AMONGST the minority which had opposed the Remonstrance there were doubtless those who would still have admitted that some modification of Episcopacy, some reconsideration of the ceremonial observances of the Church, or even of its doctrinal formulas, might be advisable. But whether such as these were few or many, they could have no hope of success. In rallying round Charles they had planted themselves, whether they intended it or not, on the ground of resistance to all change. The King was now to be amongst them once more. All difficulties had been removed at Edinburgh by the simple process of his own complete surrender.

1641.
Return of
Charles.

Argyle's
position in
Scotland.

Argyle had returned, with Hamilton and Lanark, as the undoubted master of the State. Offices were disposed of as he wished to dispose of them. What Pym was aiming at in England, was thoroughly realised in Scotland. Argyle's power rested on those very classes, the representatives of the counties and boroughs, which made up the House of Commons at Westminster. Against this strongly consolidated authority, the high feudal nobility raged in vain. Argyle was too politic to misuse his victory. Not only was the King declared to be totally guiltless of any share in the Incident, but there was a complete amnesty to all directly or indirectly concerned in it. Montrose and his friends were liberated from prison. Even Crawford found himself unexpectedly at liberty. Titles were scattered amongst the winners with a lavish hand. Argyle became a marquis and Hamilton a duke. The uncultivated old soldier, Alexander

Leslie, to whom was due so much of the discipline which had served his country in good stead, had already taken his seat in Parliament as Earl of Leven.

When Charles prepared to travel southward he knew that Pym was resolute to obtain from him those concessions which he had been compelled to make to Argyle. It is needless to say that he would feel far more degraded in becoming a merely nominal King of England than he had felt in becoming a merely nominal King of Scotland. He knew, too, that his chance of resisting was far greater in England than it had been in Scotland. In the North the nation was practically one in religion, and its union in religion had been the cement which had bound together the Parliamentary Opposition before which Charles had succumbed at Edinburgh. In the South the nation was divided in religion. Charles, therefore, might hope to put himself at the head of a party strong in the nation itself, as well as strong within the walls of Parliament.

It is impossible to say with any certainty what was the precise form which the future took in Charles's mind as he travelled southward. It is probable enough that he had himself no clear perception, at least of the details of his own projects. But it is not likely that he had fixed his heart upon the sweeping away of all that had been done since the meeting of Parliament, the revival of the Star Chamber and the High Commission, or the revival of ship-money and monopolies. Not only was his mind one which loved to dwell as much as possible on the technical legality of his actions ; but the contest in which he was now engaged was to be fought out on other issues than those which had been the object of struggle in the summer. The law as it stood gave him all that he needed to maintain the passive resistance which seemed enough to hinder those changes in the Church against which he had set his face. Legally, the majority of the Commons could do nothing without the consent of the House of Lords, and that consent they had for the time not the slightest chance of obtaining. To gain popularity and to wait till the majority in the Commons had made some mistake, was no doubt a policy fraught with danger, like all policy of mere obstruction ; but it was un-

doubtedly far more prudent than any recurrence to those ill-starred plots upon which Charles's hopes had been wrecked before.

Even this course, however, required patience, and Charles had little patience ; whilst his wife, under whose influence he would now again come, had less. To both of them Pym and Hampden were not merely leaders of a political Opposition to be defeated, but traitors to be punished. If the hope of obtaining in Scotland undeniable evidence of their share in the invitation of the Scottish army into England had been baffled, there was proof enough of treasonable conduct since. If Strafford had been sent to the block for attempting to alter the constitution, had not these men done as much ? Had they not reduced the authority of the King to its lowest ebb ? Were they not striving by the Bill for the exclusion of the bishops to beat down the true majority in the House of Lords ? Had they not made use of the moment of danger in Ireland to threaten their Sovereign that, unless he would abandon his acknowledged right of selecting his counsellors at his pleasure, they would take out of his hands the management of the Irish war, and thereby place themselves in a position of military supremacy ? It can hardly be doubted that Charles contemplated, long before his arrival in England, some course of action which would rid him of his enemies under the forms of law, as the Commons under the forms of law had rid themselves of Strafford.

Of such a course the first condition was to regain popularity, and of all places where popularity would be most useful the City of London was the first. Standing relatively higher in population and wealth in the seventeenth than it stands in the nineteenth century, its organisation gave it, in the absence of an organised national army, an influence to which there is nothing to be compared at the present day. The loans of the London citizens alone had made it possible for the House of Commons to disband the armies ; and without the loans of the London citizens the House would find it impossible to provide for a campaign in Ireland. It was manifest of the first consequence to the King to win London to his side.

Popularity
to be re-
gained.

The City of
London.

Although the recent expression of the wishes of the Common Council for the expulsion of the bishops was not of favourable omen, the wealthy citizens were now drawing towards Charles. There was the natural distrust for political disturbance felt by men engaged in wide-reaching commerce, and there was doubtless a contemptuous dislike of the petty tradesmen and apprentices who were crowding to the meetings in which illiterate members of their own class expounded the Scriptures in a wild and incoherent fashion. The new Lord Mayor, Gurney, was a strong Royalist, and the great majority of the aldermen were of the same way of thinking. When, therefore, it was announced that the King would do honour to the City by passing through it on his way to Westminster, it was resolved that he should be welcomed at a magnificent banquet at Guildhall.

November 25 was the day appointed. The reception prepared for the King was not to be one of those spontaneous outbursts of enthusiasm with which the present age is familiar. The municipal authorities were accustomed to organise their ceremonies as they organised everything else. The attire of members of the City companies, the truncheons and the torches of the footmen, the tapestry to be hung by the householders upon the walls, the bells to be rung, and the bonfires to be lighted, were all prescribed by order.¹ Yet it is probable that even without these directions there would have been enthusiasm enough. There was a fund of loyalty in the hearts of the citizens; and the compliment paid to London for the first time in the reign would have made Charles popular in the City, if it were only for a moment.

Charles was well prepared. To gain the City, he had been told, was to dethrone King Pym, as the Royalists were now beginning to call the great Parliamentary leader. Let him assure the citizens that he would voluntarily abandon to them the forfeited lands in Londonderry, and that he would do his utmost to discountenance the hateful protections given by the Lords, and

¹ *Common Council Journal Book*, Nov. 19, 23, 24, vol. xxxix. fol. 245 b, 246 b, 252 b.

they would spontaneously rally to his side. The command over the army in Ireland would fall into the King's hands.¹

It was not much that the King had to offer; nothing but what the Commons had been ready to do. Yet he played his part well. Bringing with him the Queen, who had
The King's entrance. joined him at Theobalds, he was met on his entrance to the City by a stately cavalcade. Amidst loud and enthusiastic shouts of welcome, he assured his hosts that he would give back Londonderry and everything else which they desired. He hoped, with the assistance of Parliament, to re-establish that flourishing trade which was now in some disorder. He had come back with a hearty affection to his people in general. He would govern them according to the laws, and would maintain 'the Protestant religion as it had been established in the times of Elizabeth and his father.' "This," he added, "I will do, if need be, to the hazard of my life and all that is dear to me."

In these words Charles took up the challenge of the Remonstrance. What Nicholas had been ordered to circulate privately amongst the peers was now announced in open day.
Charles takes up the challenge. There was to be no surrender, no attempt to conciliate opponents, no place for Puritanism in the English Church. Yet even in this definite call to battle words were heard ominous of failure. "I see," said Charles, "that all these former tumults and disorders have only risen from the meaner sort of people, and that the affections of the
Thinks that the better sort are on his side. better and main part of the City have ever been loyal and affectionate to my person and government." It was cha-

¹ These unsigned recommendations are amongst the *State Papers*, written on the same paper with a letter dated Oct. 23, but evidently themselves written after Nov. 8. They contain the first mention that I have found of the phrase "King Pym." If the City is gained by the King, it is said, it will be 'engaged to stand by him against the Irish Rebellion; and whereas King Pym will undertake the Irish war, if he may have the disposal of all the English Councillors and Officers of State, His Majesty may refuse those propositions with safety, having now gained the City; for if any such bargain should go on with King Pym, he cannot undertake anything without the City, and, by the way the King is, hath enabled himself to do the work.'

racteristic of him to rest upon the organisation of society rather than on the spiritual forces by which society is inspired.

That day, at least, no shade passed over Charles's self-satisfaction. The Lord Mayor was knighted, and rose up Sir Richard Gurney. Amidst shouts, perhaps heartfelt enough at the time, of "God bless and long live King Charles and Queen Mary!" the Royal pair were conducted to Guildhall. The conduits in Cornhill and Cheap-side ran with claret. At last the stately procession reached its destination. There was a splendid banquet and another gorgeous procession through the streets, amidst fresh acclamations from the crowd. That night Charles slept again at Whitehall.¹

The applause
of the
citizens.

¹ *Nelson*, ii. 674. According to the verses by J. H., printed with *King Charles, his Entertainment* (E. 177), the King's partisans expected from him three things; the lowering of the pretensions of the majority of the Commons, a check to Popery, and the overthrow of the sects.

"Those demy powers of Parliament which strove,
In our King's absence, to express their love
And care of us his subjects, now shall find
A Royal guerdon; those that were inclined
To practise mischief, of this judge shall have
A regal judgment and a legal grave.
Religion that in blankets late was tost,
Banded, abused, in seeking almost lost,
Shall now be married, and her spouse adore;
She now shall hate that Babylonish whore
That's drunk with mischief, likewise that presect
That left the Church, for fear it should infect
Their purer outsides, those that likewise cry,
To bow at Jesus is idolatry.
Brownists, Arminians, Separatists, and those
Which to the Common Prayer are mortal foes,
And cry a surplice, tippet, or a cope,
Or else a relic of the Pope.
All these shall have their wishes, they shall see
The Church now cleansed from all impurity."

The line threatening 'a regal judgment and a legal grave' has special significance. It would show, if nothing else did, that the plan of impeaching the Parliamentary leaders was already floating before the minds of Charles's followers. The whole passage is worthy of study. In my opinion it expresses the mind of the King's party far better than the

Charles's first step was to dismiss the guard which had been placed round the two Houses, under command of Essex, whose commission had expired at the King's return. At this time the Commons took umbrage, and induced the Lords to join them in a petition requesting that the guard might remain till they had time to give reasons for its retention. The King replied that 'to secure them not only from real, but even imaginary dangers,' he had ordered Dorset to appoint some of the trained bands to guard them for a few days, to give them time to prepare their reasons. If he were then convinced, he would continue this protection to them, and also take such a course as might be fit for the safety of his own person.¹

Before this answer reached the Commons the House was deeply agitated. Strode, ever impetuous, had moved for putting the kingdom in 'a posture of defence, and for the commanding of the arms thereof.'² Mutual distrust had already produced the thought of an appeal to arms. The idea of that Militia Bill on which the breach finally came, was already to be traced in Strode's words.

In the temper in which men were, a collision sooner or later was inevitable. It almost came on the evening of the 29th.

Nov. 29. A crowd of Londoners thronged Palace Yard, armed with swords and staves. They shouted "No bishops!" at Sir John Strangways, and called on him to vote against the bishops. Dorset angrily bade his men give fire. Fortunately the order was disobeyed, and the crowd dispersed without bloodshed. The next day there was grave complaint in the House. To one party the behaviour of Dorset seemed utterly intolerable. To the other the insolence of the mob seemed no less intolerable.

Nov. 30. Strangways and Kirton charged Venn, one of the members for the City, with having sent for citizens to come armed to support the popular members as long ago as the 24th, the day on which Palmer had been called in

ordinary talk of constitutional historians, about changes having gone far enough.

¹ *L. J.* iv. 452, 453, 455.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 191 b.

question. It is by no means unlikely that the charge was true. It was met by the countercharge from Pym, 'that he was informed that there was a conspiracy by some members of this House to accuse other members of the same of treason.'¹

Suspicion
that mem-
bers were to
be charged
with treason.

Measures which to one party seemed to be imperatively required in sheer self-defence seemed mere unprovoked aggression in the eyes of the other. Chillingworth, to whom for the moment the supreme danger would be that which was to be dreaded from the intolerance of Puritanism, was charged with spreading a rumour that the 'party who were against Mr. Palmer would be questioned for so great a treason as the Earl of Strafford.'² In truth, it was easy to persuade Royalists that those who were assailing the fundamental laws of the Church were as guilty as he who had assailed the fundamental laws of the State.

Chilling-
worth ac-
cused.

Pym replied in a long array of reasons by which he proposed to support the demand for a guard in which the House could confide. He spoke of the design formed in Scotland to kill some of the Members of Parliament, and of a similar design in London. To this, he said, the more credit was to be given from the discovery of the former plot to bring up the army against Parliament. Then, too, there was the conspiracy in Ireland, and the rumours that this, too, had branches in England. There were also reports from beyond the seas that there would soon be a great alteration in religion, 'and the necks of both the Parliaments will be broken.' Scarcely had these reasons been presented to the House when it was ascertained that Dorset's men had been withdrawn. The Commons at once took the matter into their

Pym's
reasons for
demanding a
guard.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 200. Compare a statement in the *Clarendon MSS.* (1542), I suppose by Hyde, or what he was ready to prove. He says that Venn's wife showed a letter brought unto her by one of the members of the House from her husband, and that he had witnesses to prove his assertions, 'who were many days attending at the door to justify' his statements, 'but they never would call him in, although I moved it often.'

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 199 b.

own hands. At Pym's motion, two members, who happened to be justices of the peace for Westminster, were directed to set a watch. The House thus put itself under the protection of the local authorities.

The Lords protest against tumultuous assemblies. The Lords were less anxious to be safely guarded against the King's designs; but they applied to the Commons to join them in a declaration prohibiting the concourse of armed multitudes at Westminster.¹

Amidst fears and menaces on every side, a deputation from the Commons carried the Remonstrance to the King at Hampton Court. In a petition which accompanied it Charles was warned against the designs of the corrupt and ill-affected party, which was aiming at the alteration of religion and government. He was asked to concur in legislation aimed at the exclusion of the bishops from Parliament, and at the removal of the abuses which had been fomented by them. In this way he would unite together all such as joined 'in the same fundamental truths against the Papists, by removing some oppressions and unnecessary ceremonies by which divers weak consciences' had 'been scrupled and seemed to be divided from the rest.' The demand for counsellors agreeable to Parliament was renewed, and to it was added a special request that Charles would abstain from granting away any forfeited lands in Ireland, in order that they might serve as the basis of a fund to be applied to the expenses of the war.²

Charles was in high spirits when this petition was read in his ears. He criticised its weak points, jeered at the notion that anyone had advised him to change religion, replied to the claim about Ireland that it would not be

Dec. 1.
The Remonstrance taken to the King with an accompanying petition.

Its reception by the King.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 201. C. 7. ii. 327. L. 7. iv. 329. The words of the Venetian ambassador show how completely sovereignty was at issue. The removal of the guard he says, 'porge inditio che cessato loro l'appoggio delle armi Scocesi, e le speranze di esser spalleggiati da questa Città, sian per ridursi anco li più ostinati nei debiti della prima modestia e possa S. M^{ta} ripigliare il giusto possesso dell' autorità goduta da predecessori suoi.'—Giustinian to the Doge, Dec. 3¹³, *Ven. Transcripts*, R. O.

² *Rushworth*, iv. 437.

well to sell the bear's skin before it was dead, and, after trying in vain to extract from the deputation an engagement that the Remonstrance should not be published, dismissed them with the promise that he would give an answer after he had taken time for consideration.

There can be little doubt that Charles had made up his mind to resist, and that he fully expected that resistance would be successful. The day after the Remonstrance had been handed over to him he came to Westminster to give the royal assent to a Bill for the renewal of tonnage and poundage for three months. In the presence of the two Houses, he spoke scornfully of the misplaced alarm under which the Commons were suffering, and after an allusion to his joyful reception in the City, he expressed a hope that his presence would dispel all their fears. He was resolved not only to maintain all the acts of the existing Parliament, but to 'grant what else can be justly desired in point of liberties or in maintenance of the true religion that is here established.' He then announced that commissioners had arrived from Scotland to treat about the relief of Ireland, and expressed a hope that in this matter there would be no delay.¹

The position of legal resistance to violent change was the strongest which Charles could possibly assume now, as it had been the strongest which he could possibly have assumed in the days of Strafford's trial. Unfortunately to maintain it, now as then, required a stronger will and a more masterful temper than was ever at his disposal. Now as then, the rash eagerness of his wife, and the passionate zeal of heated partisans, would see in the tumultuous gatherings of the crowd at Westminster, a provocation to be met by an appeal to violence, instead of a call to the most scrupulous abstention from every indication of a readiness to resort to the use of force. Yet even with every wish to remain on constitutional ground, it is hardly likely that Charles would have been a match for Pym. He had played too long with the wild machinations of the Queen to gain credit for a resolution to abide even by

Dec. 2.
The King's
speech.

Charles's
position of
resistance.

¹ *L. J.* iv. 459.

that system of passive resistance which was, after all, the dearest to his heart. The majority of the Commons were sore at the treatment which the Remonstrance had received at the King's hands on the preceding day, and at the language which had just been addressed to them from the throne in the House of Lords. They felt no inclination to accept Charles's promise to grant 'what else can be justly desired' as a sufficient guarantee that his future action would be more in accordance with their wishes than his past conduct had been. Above all, the conduct of Dorset irritated and alarmed them. That and not the King's address was the first object of their thoughts. The House left the Royal presence to wrangle over the question whether Dorset or the crowd had been to blame.¹ Disinterested lookers-on saw that, whichever might be to blame, parties were too inflamed to settle down in peace. "Within ten days," wrote the French ambassador, "one side or the other will suffer a reverse."²

The events which were thus rapidly unfolding themselves have afforded a favourite battle-field to constitutional lawyers and historians. On the one hand, it is easy to show that the King, ostensibly at least, was standing on the defensive, and that the sovereignty claimed by the House of Commons had never been theirs, and, in the unlimited form in which they claimed it, never ought to be theirs. On the other hand, it is equally easy to show that the past history of the King's relations with the Parliament had not been such as to invite confidence in the future, and that his defensive position involved an aggression of a very practical kind, because the existing law, if it were to be enforced as Charles would legally be justified in enforcing it, condemned the ecclesiastical practices dear to the hearts of a large proportion of religious Englishmen to absolute extinction. Yet, after all has been said, it is more than doubtful whether the ink which has been employed upon this argument has not been absolutely thrown away. Constitutional rules are good because

Dec. 3.
Constitutional ques-
tions raised.

Why it is
better to
pass them
by.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 205.

² La Ferté's despatch, Dec. $\frac{2}{22}$, *Arch. des Aff. Étr.* xlviii. fol. 430.

they enforce the application of the laws by which healthy societies are governed to the details of political life in which the passions of the actors are most hotly stirred ; but they cannot be made applicable to a society in which the whole head is sick, and the whole heart faint. The daily food of the constitution cannot be its medicine. Law and liberty, kings and parliaments, are available to a society which, in spite of wide differences of opinion and character, is in substantial unity with itself. When that unity has departed, when religious and political factions glare at one another with angry eyes, the one thing needful is not to walk in the paths of the constitution, but to restore unity. No doubt, Pym and Hyde would have agreed upon the necessity of restoring unity, but each wanted to restore it by the simple process of suppressing the religion of the other. Not thus could a new order be evolved out of the ruins of the old. Religious antipathies will never bow their head before the mere remedy of force. It is only in the presence of some higher and more ennobling spiritual idea that they will sink abashed to the ground. In Elizabeth's days theological strife had been smoothed away before the common thought of patriotism in the face of the invader and the assassin. England was not in such danger now, and she needed a grander and more universal thought than patriotism, to reconcile the foes upon her soil. Because she had not yet wholly given her heart to the spirit of liberty, nor had welcomed the all-conquering charity which clears the eye and shakes the sword from the hand, therefore she was now entering into that valley of the shadow of death in which brother was to smite down brother in his blindness.

If, in the darkness, Englishman could not discern the face of Englishman, how could it be hoped that he would discern the face of the Irish Celt? His rebellion and cruelty had left no room, if there had been room before, for any remembrance of the wrongs which he had suffered.

Beating of
Irish affairs
upon Eng-
land.

There was no thought at Westminster of the employment of any remedy in Ireland save that of force alone. And yet, as the conflict grew visibly nearer in England, the force which it would be necessary to use beyond the sea would be a danger in England as well as in Ireland. On December 3 news arrived which

brought this home to every man. Sir Phelim O'Neill had taken Armagh. The English prisoners had been stripped naked and bound hand and foot. O'Neill had exhibited 'a commission under the Broad Seal of England by which he said that he was authorised by the King to restore the Roman religion in Ireland.'¹

Nov. 25.
Sir Phelim
O'Neill de-
clares that
he had been
acting by
the King's
orders.

Such was the tale brought by a prisoner who had been allowed to escape. A later and better authenticated story told how the commission produced was under the Great Seal of Scotland, and that it was affixed to a document purporting to proceed from Charles himself, and empowering all Irish Catholics to rise in defence of the King's person, to attack all castles and forts, and to 'seize the goods, estates, and persons of all the English Protestants.' That this document was forged there can be no doubt whatever; but it does not follow that it was not forged upon the lines of a real document sent from Edinburgh by the King to the Catholic Lords, authorising them to seize the forts and to use them against the English Parliament.²

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 207 b.

² It is printed in *Rushworth*, iv. 402. The internal evidence of the forgery is complete, as Charles would never have spoken of Protestants disparagingly. He would have said Puritans. See, too, the evidence in *Nelson*, ii. 529. Dr. Burton (*Hist. of Scotland*, vii. 160) wrote 'thus:— "When we find the document thus treated as an evident fabrication, there arises an obvious question—If there was a forgery for the purpose of creating a temporary delusion, why was it not in the name of the English Government, and under the great seal of England? As a warrant of sovereignty the great seal of Scotland was nothing in Ireland. If it was that only an impression of the great seal of Scotland was available, and that was considered better than no seal, the accident, when connected with what has yet to be told, is one of the strangest that ever happened. The author of a pamphlet which was published two years later, and obtained great notoriety, gave currency to the following rumour:—

" "It is said that this commission was signed with the broad seal of that kingdom, being not then settled in the hands of any officer who could be answerable for the use of it, but during the vacancy of the Chancellor's place entrusted with the Marquis Hamilton, and by him with one Mr. John Hamilton, the scribe of the cross-petitioners in Scotland, and sometimes under the care of Master Endymion Porter, a very fit opportunity for such a clandestine transaction.'

Whatever the truth might be, the effect on the House was instantaneous. At Pym's motion, a committee was appointed

"By a coincidence which, if there was no foul play, must be called unfortunate, it is known that on the 1st of October, which is the date on the commission, the great seal of Scotland happened to be in a state of transition. . . . On the 30th day of September, Loudoun was made Chancellor. . . . Though thus appointed to his office on the 30th of September, the great seal was not put into his custody until the 2nd of October."

In a note Dr. Burton points out that Endymion Porter had afterwards a hand in the celebrated affair of Lord Glamorgan, under somewhat similar circumstances. The acceptance of the evidence relating to the King's dealings with the Catholic Lords removes the difficulty of supposing that the King could possibly have sent off a document such as that which O'Neill published. The emissary of those Lords was Lord Dillon, who is connected with this affair in *The Mystery of Iniquity*, the pamphlet quoted by Dr. Burton, and attributed to Edward Bowles. He is there stated to have been in Edinburgh, and to have returned to Ireland to take his seat in the Privy Council to which he had just been admitted by the King's orders. What more natural than that he should have carried with him a formal authorisation for the movement of the Lords, or that, if he fell into O'Neill's hands, that authorisation should have been altered by O'Neill to suit his purposes and sent forth with the real seal attached to it? As for the Queen, it is certain that she had no part in the Ulster rising. Rossetti, who was now at Cologne, writes that Mary de Medicis had received a letter from her daughter 'piena di maggiori doglienze per le presenti commotioni d'Hibernia.' The statements afloat as to her participation distressed her, 'onde dalle suddette cose stava S. M^{ta} molto travagliata, poichè parte de' disegni che s'havevano si dubita siano discoperti.'—Rossetti to Barberini, ^{Nov. 21}/_{Dec. 1}, *R. O. Transcripts*. That is to say, she regretted them because her other manœuvres were likely to come to light. And yet Pym is continually taken to task for being unreasonably suspicious. The relations of the King and Queen with the Catholic Lords are shown not merely by the evidence adduced at p. 7, but by the following extract from the letter just quoted :—"Adunque in questo proposito rappresenterò a V. Em^{za}, che circa il negotio della libertà di coscienza molto si sperava per l'effettuazione di ciò nelle forze d'Hibernia, et queste sono quelle che hora fedelmente si sono mosse, e come una volta si disse alle loro Maestà che considerassero che ne' gran bisogni non havevano altra gente che i Cattolici Inglesi e d'Hibernia, e questi solamente per esser Cattolici, e come all'opposito gli Scozzesi, nazione la quale ancorche havesse ricevuti tanti benefitii, nondimeno per essere Puritani erano ribelli, et questo fu ben sentito, et conosciuto per vero, e perciò si pensava d'incaminare le cose

to prepare for a conference with the Lords, in order to acquaint them what Bills had passed which concerned the safety of the kingdom, and to which their lordships' consent had been refused, as well as to tell them 'that this House being the representative body of the whole kingdom, and their lordships being but as particular persons, and coming to Parliament in a particular capacity, that, if they should not be pleased to consent to the passing of those Acts and others necessary to the preservation and safety of the kingdom, that then this House together with such of the Lords that are more sensible of the safety of the kingdom, may join together and represent the same to His Majesty.'¹

Such a threat did not indeed necessarily imply a resolution to set at naught the constitutional authority of the Lords over legislation, but it would hardly have been made if there had not been some thought of proceeding in that direction. Charles was no doubt strengthened by it in his present wish to meet the Commons on constitutional ground. In other words, his ears were for the time open to Bristol rather than to the Queen. A few days before he had given Windebank's secretaryship to Nicholas. On the day of the appointment of the Commons' Committee he received a deputation from the London aldermen, and after knighting all who appeared, and promising to confer a baronetcy on the Lord Mayor, he cheerfully acceded to their request that he would return to Whitehall in order to give encouragement to trade. Taking heart from their loyal speeches he at once dismissed Vane from the secretaryship. On the 5th he named Lennox Lord Steward, and Lennox was a close ally of Bristol. The selection was a special defiance to the House of Commons, who wished to see Pembroke in the place.²

a vantaggio della nostra Santa Religione, ma che cosa si sia scoperto intorno a queste turbolenze non lo posso rappresentare a V. Em^{za} per non haver ricevuto lettere dal Padre Filippo, ne da altri."

¹ L. 7. iv. 330.

² Giustinian to the Doge, Dec. 12, 1525, *Ven. Transcripts, R. O.*

On his arrival at Whitehall on the 6th. Charles found the Lords engaged upon a Bill authorising the impressment of soldiers for Ireland, which had come up from the Commons. One of its clauses distinctly denied the King's right to compel men to military service beyond the borders of their own county, except upon a sudden emergency caused by a foreign invasion. The first reading was not carried without considerable opposition. Lyttelton and Manchester concurred in asserting that it took away from the Crown a prerogative of which it had been possessed for 300 years, though it was, in fact, verbally copied from an unrepealed statute of Edward III.¹ It was to little purpose, replied Saye, that ship-money had been abandoned by the King, if he retained his power of impressment.² On the 6th, the Bill was read a second time, and amended in committee. Then the Peers intimated their dislike of the clause to which some of their members had taken an objection, by a message to ask the Commons to acquaint them with the reasons which had induced them to insert this clause in the Bill.³

It was precisely the course which they had taken before throwing out the first Bishops' Exclusion Bill. The reply of the Commons was the same in both cases. Those who had then brought in a Root-and-Branch Bill to regulate the Church, now brought in a Root-and-Branch Bill to regulate the army. If it was to be acknowledged as law that the King could levy troops in any part of England that he pleased, to use them against another part, they must demand the enactment of a new law which would take the command of the militia or trained bands of the counties entirely out of his hands. In the Bill which Hazlerigg brought in for this purpose, it was proposed that a Lord General, whose name was left blank, should be nominated to have supreme command over the militia. His powers were to be of the widest description. He was to raise men, to levy money to pay them, and to execute martial law. A Lord Admiral was to be appointed to command

¹ See Hallam, *Const. Hist.* ch. ix.

² *L. J.* iv. 462. Dover's notes, *Clarendon MSS.* 1693

³ *L. J.* iv. 463.

at sea with similar powers. The demand of the Lords for an explanation of the Impressment Bill was left unanswered.

No wonder the new Bill was received with indignation by the Royalists. Shouts of "Away with it! Cast it out!" resounded through the House. Culpepper truly said that it took from the King the power which was left to him by the law, 'and placed an unlimited arbitrary

Anger of
the Royal-
ists.

power in another.' Nor were these objections confined to the ordinary supporters of the Crown. Men who had struggled and suffered on behalf of English liberty might well shrink from setting up a military despotism. Yet the proposal to throw out the Bill without further consideration was rejected by 158 to 125, a larger majority than that by which the Remonstrance had been passed.¹ Evidently the intention of many of its sup-

porters was merely to convey a warning to the House
Dec. 8. of Lords. No attempt was made for the present to pass it even through a first reading.

In the background of the constitutional struggle at Westminster, lay the terrible Irish rebellion. Every post which crossed the Channel deepened the horror. On the 8th letters were read, telling that the evil was spreading. Sir Henry Tichborne with a little garri-

Progress of
the Irish
Rebellion.

son was penned in behind the walls of Drogheda. The flame had gained the South. The natives of Wicklow and Wexford had risen, and had advanced within four miles of Dublin. Most of the gentry of Louth and Meath had joined the rebels. All through Leinster and Munster agitation prevailed and robberies were committed. Money and troops must be sent at once. Lord Dillon was on his way with overtures from the rebels to the King. He was bringing with him an oath by which the insurgents had bound themselves to maintain their religion and the King's authority against his wicked ministers.²

At Pym's motion, the Commons resolved to provide money to hasten the troops away. It was also proposed that the King

¹ D'Ewes's Diary, *Harl. MSS* clxii. fol. 217 b.

² *Ibid.* fol. 219 b. Compare letters of the end of November amongst the *Carte MSS.*

should be asked to declare that he would never consent to grant a toleration of religion to the rebels. Culpepper argued sensibly enough that such a declaration would alienate those Irish Catholics who had remained steadfast in their allegiance. Holles asked that the declaration might apply to all the King's dominions, and Holles carried his point.¹

Whilst the Commons were attempting to secure themselves against the Catholics, the King was attempting to secure himself against the City mob, which a few days before had again crowded round the Houses of Parliament, and had loudly expressed its disapprobation of the bishops. On the 9th Charles directed the Lord Mayor to preserve the peace of the City, and to see that the apprentices were kept in order.² The next morning armed men, appointed by a Westminster Justice, appeared by order of the Lord Keeper, to guard Parliament from danger. Both Houses resented the interference, and, protesting that there was no danger at all, dismissed the guard. The Justice who had given the order was sent by the Commons to the Tower.³

On the whole the King was playing for the time the part of a constitutional sovereign, doing his best to protect the Legislature from mob violence, and professing to respect the law. In this direction pointed the rumours which prevailed of fresh appointments of Bristol's friends to office.⁴ Unluckily for the success of this policy, Charles could not silence the Queen, and the Queen was certain to lose him more votes in the Upper House than Bristol could gain. For the peers, opposed as they were to Puritanism, were equally opposed to Rome, and there could be little doubt that the condition of the Catholics would be a hard one for some time to come. The Queen was mad-

Dec. 9.
The Lord
Mayor
directed to
quiet tu-
mults.

Dec. 10.
The West-
minster
guard dis-
missed.

The King
plays a con-
stitutional
part.

Dec. 9.
Excitement
of the
Queen.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 226 b. C. J. ii. 335.

² *His Majesty's Special Command*, E. 179.

³ L. J. iv. 469. C. J. ii. 338.

⁴ Wiseman to Pennington, Dec. 9; Bere to Pennington, Dec. 9, *S. P. Dom.*

dened by the thought. The Lords had recently consented to a special measure for disarming the English Catholics, and though they had allowed Philips to leave the Tower, they had forbidden him to go near Whitehall, and might examine him on

Dec. 8. the Queen's secrets at any moment. She, therefore,
Sweeping changes proposed. threw her voice on the side of a thorough breach with the opponents of the Court. Northumberland, Essex, Saye, Hertford, Holland, and others were to be turned out of the Council and dismissed from their offices.¹

Yet, if Charles could not make his wife discreet, for the present, at least, he refused to follow her in her mischievous course. It was quite in the spirit of Bristol's policy that he

Dec. 10. issued a proclamation on the 10th announcing that,
The proclamation on religion. though he was considering with his Parliament how all just scruples might be removed, yet for the preservation of unity and peace he required obedience to the laws and statutes ordained for the establishment of the true religion.²

The proclamation thus issued was anything but a healing measure. Charles indeed held out some vague prospect of changes to which he might ultimately be induced to give his assent, but the immediate result would be to deprive the Puritan of his standing ground in the Church. The law, indeed, was on the King's side, but the law had ceased to be in accordance with the real wants of the nation.

The next day the weight of the City made itself felt in the opposite scale. Some 400 well-to-do merchants and tradesmen

Dec. 11. were borne in coaches to Westminster, to present to
The City Petition. the Commons a petition in support of Pym's policy, in which they asked for the removal of the bishops and Catholic lords from Parliament. They asserted that the

¹ "Sir H. Vane, Junior, voted at Court to be put out, and my Lord," *i.e.* Northumberland, "should go the same way if the feminine gender might have their will. The truth is there is such fashions at Court that, if some might be hearkened unto, the King should lose all the best friends and servants he hath, merely by malicious plots."—Smith to Pennington, Dec. 10, *S. P. Dom.* For other names see La Ferté's despatch of Dec. 7, *Arch. des Aff. Étr.* xlviii. fol. 437.

² *Rushworth*, iv. 456.

petition was signed by 20,000, and that many more signatures could easily have been procured. The Lord Mayor and his friends, they added, had endeavoured to throw obstacles in the way of the collection of signatures.¹

Both parties were evidently anxious to keep as far as possible within the letter of the law. On the day of the presentation of the City petition Charles named a commission charged to bring his expenditure within the limits of his income, so that he might be independent of tonnage and poundage if the Commons refused to dole it out to him any longer.² On the following day he issued a proclamation summoning the numerous members who were absent from their places in the House of Commons to return to their duties before January 12,³ no doubt on the calculation that these careless and unpolitical personages would give their votes to him, and that he would thus find himself in harmony with a majority in both Houses.

How could Charles hope that the month's interval which he needed to carry out this plan would pass over quietly? The

Irish Rebellion would not brook delay. On the 14th the King appeared in the Upper House to make what he doubtless regarded as a great concession.

He would give his assent to the Impressment Bill, if only a clause saving the rights of both parties were substituted for the clause denying his right to levy men for service outside the limits of their own counties.⁴ To his intense astonishment, he found that the Lords were as sensitive as the Commons to any suggestion of the employment of a military force capable of being used against Parliament, and that they at once showed their resentment of his interference with a Bill still under discussion,

by calling on him to name the persons upon whose information he had acted. On the subject of toleration for the Catholics, too, the peers were of one mind with the Lower

¹ C. J. ii. 339. Giustinian to the Doge, Dec. ¹⁷/₂₇, *Ven. Transcripts*.
R. O. *The Citizens' Humble Petition*, E. 180.

² *Council Register*, Dec. 11.

³ *Rymer*, xx. 505.

⁴ L. J. iv. 473.

House. The Commons had been clamouring for the blood of five out of seven priests who were lying under sentence of death. In their present indignation they asked that all seven should suffer, and to this the Lords raised no objection.¹ The King, however, refused to give way, and the unhappy men remained in prison some time longer. The Lords were too dependent on the King for the success of their ecclesiastical policy to do more than testify their disapprobation. The Commons were under no such bond. Not only were they irritated by Charles's refusal to abandon his claim to levy an army for general service, but they knew that language was being freely used at Court which threw a sinister light on the reasons of his refusal. It

Talk of
executing
the Parlia-
mentary
leaders.

had become a matter of common conversation that plans had been discussed for the trial and execution of the Parliamentary leaders.² Whether Charles had done more than listen to these violent projects it is

impossible to say. The Commons were goaded into taking a step in advance. They resolved to print the Remonstrance and to appeal to the people.³

Dec. 15.
Printing of
the Remon-
strance.

Dec. 17.
The Lords
declare that
no religion
except the
established
one is to be
tolerated.

The Lords next took up the Declaration against toleration, which had been sent up from the Commons. On the principle of intolerance both Houses were agreed. But they were not of one mind as to the only religion to be tolerated. The Declaration, as amended by the Lords, proclaimed that no religion should be tolerated 'in His Majesty's dominions of England and Ireland, but what is or shall be established by laws of this kingdom.' It speaks much for the alarm felt in the Commons that they accepted the amendment which recognised the binding character of

Dec. 18.
Agreement
of the Com-
mons.

Bristol's
policy.

the existing Church law, until it had been altered with the consent of the Lords and of the King.⁴ Bristol had been entrusted

¹ *C.* ƒ. ii. 342. *L.* ƒ. iv. 475.

² On ne parloit il y a quatre jours que de faire couper la tête à plusieurs de Parlement."—La Ferté's despatch, Dec. $\frac{16}{26}$, *Arch. des. Aff. Étr.* xlviii. f l. 440.

³ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 244 b.

⁴ *C.* ƒ. ii. 349.

with the preparation of the amendment, and there can be little doubt that it represents his policy. Though a fair discussion might lead to some alterations in the Prayer-book, he trusted that it would leave the Prayer-book in the main what it had been before.¹

Though such a policy was, at all events, worthy of trial, it is impossible to deny that men's minds were hardly in a temper tending to accommodation. The order of the King that the law of the Church should be obeyed till it was altered called forth a petition from certain ministers to the House of Commons, asking that they might not be compelled to use prayers against which their consciences protested, and which had been pronounced to be worthy of amendment by a committee of bishops and other grave divines, sitting by the direction of the House of Lords. "It seems," they said, "most equal that the consciences of men should not be forced upon that which a Parliament itself holds needful to consider the reformation of and give order in, till the same be accordingly done." Finally they asked that Convocation might be entirely passed by, and a free National Synod gathered to give advice to Parliament.² Convocation gave a preponderating voice to the bishops and to the chapters, which had a strong Laudian element, whereas a synod would give expression to the general feeling of the clergy.

Whatever Bristol wished to do, it behoved him to do quickly. Yet, until the Irish difficulty was settled, there was no time to do anything. On the subject of the Im-
Question of
sending
Scots to
Ireland. pressment Bill the Lords were now seeking an understanding with the King rather than with the Commons, and had refused to agree to the landing of 10,000 Scots in Ireland till they could be quite sure that 10,000 English would be sent as well.³ They preferred that Ireland should remain in rebellion rather than that it should be conquered by Presbyterian Scotland. The Commons preferred that it should remain in rebellion rather than that the King should

¹ *L. J.* iv. 480.² *Nelson*, ii. 764.³ *L. J.* iv. 481.

have an army at his disposal which he might employ against the liberties of England.

On the 20th a question of no slight importance was settled. A claim to protest had again been made by a member of the Commons, and the House now ruled that such a claim was inadmissible.¹ No member was to shake himself clear of responsibility for the vote of the House. An expression which slipped from one of the minority left no doubt of the course which, under existing circumstances, it was desirable to take. "We must submit to a law," said Holborne, "when it is passed ; but if we may not ask leave to protest, we shall be involved, and perhaps lose our heads in a crowd, when there is nothing to show who was innocent."² In the eyes of the minority, it seemed, the majority were traitors, engaged in subverting the constitution, and therefore liable to be sent to the block.

Formally, the procedure of the House of Commons has ever since been ruled by that day's decision. No attempt to register a protest has again been made. Yet the demand of Hyde and Holborne has been long ago virtually conceded. The printing of the division lists effects far more than any protest recorded in the journals.

The aim of the majority was to make that appear to be a fact which was not one. The world was to be asked to believe that the resolutions of the House were the resolutions of the whole body, and not those of a mere majority. The delusion could not be kept up for ever. It might be impossible to ascertain in what way a particular member had voted. There would be no difficulty in discovering on what side he had fought and bled at Edgehill or at Marston Moor.

The unity of a representative body is not to be preserved by the enforcement of its forms. If the statesmanship be wanting which takes account even of defeated opponents if those opponents are pushed to the wall and called upon to abandon, not merely their preferences, but all that is dearer to them than life itself, Parliamentary unity is

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 255.

² *Verney Notes*, 136

no longer possible. When the spiritual basis of co-operation is wanting, a quarrel arises which can be decided by the sword alone.

The discussions on the Impressment Bill were enough to show that both parties were already clutching at the sword.

The day on which the question of protestation was settled in the Commons, Holles carried up to the Lords a declaration that, if they did not give way on

The Impressment Bill again.

the point at issue, the Commons would hold themselves free from responsibility for the blood and misery which

Dec. 21.
The Militia Bill read a first time.

The Lords asked to send Scots to Ireland.

might follow. The next day the Lower House emphasised its warning by reading the Militia Bill for the first time, and by sending up a petition from a number of Irish Protestants of English birth, setting forth in detail the wretched state of Ireland, and urging the Lords to send away with all speed the 10,000 Scots who were but waiting for their word.¹

The Lords were in a difficulty. They did not wish to curtail the King's prerogative, and to place Ireland in the hands of

Reply of the Lords.

an army of Scottish Presbyterians. They therefore replied by asking the Commons to assure them that if the 10,000 Scots were sent, the 10,000 English should also go. The Commons refused to give any such assurance, as matters stood. Unless the Impressment Bill were passed the English soldiers could not go. The Lords answered by voting that both the English and the Scottish force should go, whilst they preserved a complete silence on the subject of the Impressment

Their decision ascribed to the bishops.

Bill.² Outside the House, this decision was set down to the obstinacy of the bishops, and many men began to ask one another whether it would be enough to exclude them from the House of Lords. Would it not be better, it was said, to abolish the office entirely?³

For the present the removal of the bishops from the House of Lords was the object which the leaders of the Commons had set before themselves as likely to put an end to the

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 264 b. *L. J.* iv. 484.

² *Ibid.* iv. 485, 486.

³ Salvetti's *News-Letter*, Dec. 24, Jan. 3.

antagonism between the Houses. They knew full well what deep roots the ecclesiastical dispute had. The Commons had

Dec. 20. been recently engaged in inquiring into the diffi-
 Inquiry into culties thrown by the authorities of the City in the
 the conduct of the City way of the petitioners who had asked that the
 authorities. bishops and the Catholic lords might be deprived of
 their votes.¹ There was everything to show that the authorities
 regarded the signature of this petition as a punishable action.

Strong language of the Lord Mayor and Recorder. Lord Mayor Gurney, who had just received his promised baronetcy, had asserted that the petition 'tended to mutiny,' and that those who signed it 'did not know into what danger they fell.' The Recorder, Sir Thomas Gardiner, had taken fire at the statement that the exclusion of the bishops was desired by the Common Council. He swore that this was a lie. The petition, he said, 'did tend to sedition, and to set men together by the ears.' He was answered that it tended to peace. "No!" he burst out, "it is for blood and cutting of throats; and if it come to cutting of throats, thank yourselves, and your blood be upon your own heads."²

The meaning of this was obvious. The Puritans knew that the forms of the constitution were against them. The Episcopalians had the advantage—so great at the opening of a contest, so absolutely worthless after a contest has proceeded for a little while—of standing on the defensive. Pym and his followers had been reduced to mere protestations which they were powerless to transform into acts. They had discovered that they could not, by their protestations, compel the Lords to do anything whatever to modify the Prayer-book, or even to declare the King incapable of forming an English army on English soil without the consent of Parliament. The obstruction of the Peers seemed likely to leave them masters of the field. Even to petition for a constitutional change was counted as a crime by the Lord Mayor and Recorder of London.

Nor was it possible to be certain that even in the City

¹ Page 98.

² C. 7. ii. 350.

physical force would be on the side of the Puritans. On the

Dec 19. Sunday morning a fanatic who went by the name of
Prophet Hunt at St. Sepulchre's. was over at St. Sepulchre's, to denounce the Divine
vengeance upon an evil generation, was dragged off by the
congregation, brought before the Lord Mayor, and committed

to prison. In the afternoon there was a more serious
Attack on Barebone's riot. Praise-God Barebone, a leather-seller, whose
house. remarkable name afterwards brought him to an un-

looked for celebrity, lived in Fleet Street near the corner of
Fetter Lane. He preached so loudly to a congregation of Sepa-
ratists which met in his house, as to attract the attention of
the passers by. A crowd soon gathered, mainly composed of
apprentices, possibly the very lads who had been so noisy at
Westminster a few days before. If so, they were quite as ready

Barebone to bait a Separatist as to bait a bishop. The house
in custody. was stormed, and its sign was unhooked in order to
provide a gallows on which to hang the preacher. Fortunately,
the constables arrived in time and saved Barebone by carrying
off both himself and some of his auditors in custody.¹

The difficulties thus raised would have been sufficient to
try the nerves of the coolest statesman. As matters then stood,

Difficulties it was impossible that the leaders of the Commons
of the Par- should have remained cool. For months they had
liamentary lived in a heated atmosphere of baffled plots, directed
leaders. against themselves and the institutions which they firmly be-

lieved to be essential to the repose of their beloved country.
They had every reason to believe that such a plot was again on
foot. Not only the chatter of the antechambers at Whitehall,
but the talk of grave divines like Chillingworth, and of grave
lawyers like Holborne, pointed to a conviction that the Crown
and the Church were to be saved only by treating Pym and
Hampden as Pym and Hampden had treated Strafford. In

¹ *The Discovery of a Swarm of Separatists*, E. 180. Amongst the
same collection of pamphlets (E. 138) is a discourse written by Bare-
bone, arguing that it was unnecessary to rebaptize persons who had been
baptized 'under the defection of Antichrist,' and that infant baptism was
warrantable.

little more than three weeks the absentee members of the Commons might again be seen on the benches of the House. If an Episcopalian majority were the result, Charles would be able to settle the Church as he pleased. There could be little doubt that nothing at all would be done to conciliate the Puritans. The Laudian system would return, not now outside the pale of the law, but sanctioned by the very law itself. The Church system of the Restoration would be anticipated. Yet even this was not the limit of the danger. It was rather against violence than against law that the majority of the Commons sought to provide—violence, it might be, carried out in the name of the law, and executed by troops put in motion at the command of the King.

CHAPTER CIII.

THE ATTEMPT ON THE FIVE MEMBERS.

WOULD Charles have patience to wait till January 12 brought back the absentee members? Patience is hardly possible except where a deliberate plan has been formed, and

1641.
Charles's
intentions. Charles was never capable of forming such a plan. It can hardly be doubted that the idea of bringing the leaders of the Commons before a criminal tribunal, had again and again presented itself to his mind. It was just the sort of act, combining a show of legality with a reality of violence, which would have most readily commended itself to him, and there is every reason to believe that he had sought in Scotland for evidence to convict his political opponents of complicity with the Scottish invasion. But with him it was always one thing to propose a course of action to himself, and another to carry it out. Unless something occurred to force his hand, it was probable that this project would never be pushed on to actual execution, and might share the fate of the two Army Plots, and of the combination with the Irish Lords.

Dec. 21.
The new
Common
Council. That something occurred on December 21. The elections to the Common Council took place, according to custom, on that day, and the elections were largely in favour of the Puritan opposition.¹ The constitutional

¹ An account is to be found in *Somers' Tracts*, iv. 588, but I have grave doubts of the truth of the charge that the newly elected councillors came to vote before they were legally qualified to do so. From a pamphlet, *An answer to a late . . . pamphlet* (E. 135), it would seem that there was raised a question of the treatment of the poor by the old Common Councillors.

division in Parliament was reproduced in the City. The new Common Council would side with Pym. The Aldermen would side with Charles and the Peers.

Charles felt that he had not a moment to lose. The opposition in the City would now have the benefit of organisation, and the City mob would be able, as powerfully as it had done in the days of Strafford's trial, to dictate terms to him at Westminster. The wisdom of waiting till actual tumults had taken place, and of falling back upon the dislike of the country to violence and disorder, was unknown to Charles. He directed or persuaded Balfour to surrender the Lieutenancy of the Tower, and appointed Lunsford in his place.¹

Charles
resolves to do
something.

Lunsford
appointed
Lieutenant
of the
Tower.

Dec. 23.

The Commons heard of Balfour's dismissal before they broke up on the 21st. As the 22nd was observed as a fast, they could not take action till the 23rd. There was everything in the change to raise suspicion. Balfour had been staunch in resisting the introduction of Billingsley and his soldiers when Strafford's escape was planned. Lunsford was only known as a debauched ruffian, who was believed to be capable of any villany. If the talk of the seizure and execution of the leaders, of which so much had been recently heard, was to be carried into practice, Lunsford was the very man to keep a tight hold on his prisoners.

Hardly less significant than Lunsford's appointment was the answer which Charles at last saw fit to make to the Remonstrance. Rating the Commons severely for their disrespect in printing their complaints against his express wish, he declared his entire ignorance of the existence of any malignant party in the country. In all matters

The King's
answer to
the Remon-
strance.

¹ Balfour told the Commons 'that, the Earl of Newport being made Constable of the Tower, he had moved his Majesty that either he might be wholly entrusted with that charge, or else might surrender his Lieutenant's place which he had by word of mouth surrendered.'—D'Ewes's Diary, *Harl. MSS.* clvii. fol. 266 b. Newport, however, had been Constable for many months; and, though Balfour probably felt hurt at the appointment, there must have been pressure put on him to bring him to give effect to his grievance at so convenient a moment.

of religion he was quite ready to pay attention to grievances which might be presented to him in a Parliamentary way, or, in other words, with the concurrence of both Houses. The right of the bishops to their seats in the Upper House was part of the fundamental laws of England. If Parliament advised the calling of a National Synod, he would take the request into consideration, though he was persuaded that no Church could be found in which there was greater purity of doctrine than in the Church of England, or in which the government and discipline were more free from superstition. This he was ready to maintain with his life against Popery on the one hand, and the irreverence of schismatics and Separatists on the other. As to the demand for a change of evil counsellors, he could only say that he knew of none to whom that description applied, and that he had always been careful to choose men of ability and experience.¹

Such was Charles's profession of faith. He stood for the ancient Constitution and the ancient Church. Some slight changes might be needed, but they must be changes which would secure the approval of the House of Lords and of himself. That his words would find an echo there could be little doubt. Not all England was Puritan. At Dover, the recent proclamation on religion had been received with shouts of applause. "God bless his Majesty!" was the cry, "we shall have our old religion again;"² and the same feeling undoubtedly existed in many parts of the country.

The stand taken by the King rallied to him the House of Lords. To a request from the Commons that they would join in a petition for the dismissal of Lunsford, and for the appointment of Conyers in his stead, the Peers returned a blank refusal.³

The reply of the Lords was taken in evil part by the House of Commons. For the first time the Peers had refused con-

Nature of
Charles's
appeal.

The Lords
refuse to
petition for
Lunsford's
removal.

¹ *Rushworth*, iv. 452.

² Perceval to Pennington, Dec. 18, *S. P. Dem.*

³ *C. J.* ii. 354. *L. J.* iv. 487.

currence in protesting against a manifest danger to the persons of the members of the Lower House. What avowable reason, it was asked, could the King have had for the appointment of 'a man given to drinking, swearing, and quarrelling, much in debt, and very desperate?' Yet what were the Commons to do? They had no constitutional power to pass over the resistance of the Lords. The City was, no doubt, on their side. On the afternoon of the 23rd a petition asking for the rooting out of Episcopacy was brought in with 30,000 signatures. The leaders of the House, however, had no wish to appeal to force. They preferred to remain as long as possible on constitutional ground. On the 24th the Militia Bill received a second reading, and a special appeal for co-operation was sent up to the Lords.

In this protest the Lords were conjured to join in a declaration to the King of the danger into which the kingdom had fallen through the machinations of Papists and other disaffected persons. Lunsford's appointment was sufficient evidence that this design was now approaching maturity. As the Lords had refused to join in petitioning against that appointment, the Commons now declared 'before God, and the whole kingdom,' that they had done all that was in their power to do. They had frustrated the design of bringing in the Irish army, and the plots for bringing up the English army and seizing the Tower. The malignant party was now encouraged by the progress of the Irish Rebellion, and by the delays in the House of Lords. All that was left for the Commons to do was to protest their innocence of the blood which would be spilt if Lunsford were continued in his charge. They would appeal to the King to grant such commissions as would enable them 'to defend his Royal person and his loyal subjects from the cruelty and rage of the Papists,' and they hoped that such of the Lords as shared their apprehensions would join them in making them known to his Majesty, and would do 'what appertains to persons of honour and fidelity for the common good.'

The Lords were in a difficulty. Men like Bristol had no

liking for plots either Catholic or Protestant. Lunsford was hardly a champion to their taste. It was no doubt in order to give Charles an opportunity of withdrawing from his false position, that the Lords voted an adjournment of the debate on the Commons' declaration till the Houses met again on the 27th after the short Christmas recess. Yet twenty-two Peers not only voted against the adjournment, but formally recorded a protest against any delay in taking up a question which concerned the instant good and safety of the King and kingdom.¹

The danger stood imminent before the eyes of men. "So as now," wrote D'Ewes, after recording the protest of the Lords' minority, "all things hastened apace to confusion and calamity, from which I scarce saw any possibility in human reason for this poor Church and kingdom to be delivered. My hope only was in the goodness of that God who had several times during this Parliament already been seen in the Mount and delivered us beyond the expectation of ourselves and of our enemies from the jaws of destruction."²

One step the Commons attempted to take in the face of the impending danger. Newport was Constable of the Tower, and consequently Lunsford's superior officer. They, therefore, requested Newport to take personal charge of the fortress,³ as he had done before under somewhat similar circumstances. They knew that they could count on Newport. Some one had told Charles that during his absence in Scotland there had been a conversation turning upon a plot of the King's. Newport, it was said, had burst in with—"If there be such a plot, yet here are his wife and children." When Charles asked Newport whether he had heard any discussion about seizing the Queen and her children, the peer answered in the negative. "I am sorry," replied Charles scornfully, "for your lordship's memory." As soon as he heard of the request of the Commons to Newport, he dismissed him from the Constableness of the Tower.⁴

* ¹ *L. J.* iv. 489.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 278 b.

³ *C. J.* ii. 357.

⁴ *L. J.* iv. 490. *C. J.* ii. 357.

Charles was going too far for his own supporters. On the 26th the Lord Mayor assured him that, unless Lunsford were removed, he could not answer for the peace of the City. The apprentices would try to storm the Tower. Before such remonstrances Charles could not but give away, and before night Lunsford was dismissed from a post to which he should never have been appointed. His successor was Sir John Byron, a brave and honourable man, warmly attached to the King, and who bore a character without a stain.¹

What was done, however, could not be undone. The appointment of Lunsford in December was what the orders given to Billingsley had been in May. In both cases the King had kept within his legal rights. In both cases he had created amongst his opponents a sense of imminent danger.

When the Commons assembled on the 27th they were met by news from Ireland, even more discouraging than before. St. Leger, the President of Munster, announced that, unless reinforcements arrived from England, there was no hope of saving the province. Lord Ranelagh, the President of Connaught, declared that, though order might have been maintained with 500 men in November, it would need 3,000 now. Yet if an army must go to Ireland, how could the King be trusted with the appointment of its commanders? The rebels had given out that they had authority from the Queen to take arms for the Romish religion. What was of far greater importance, there was now evidence that the Catholic Lords of the Pale were astir and had entered into communication with the rebels. Lord Dillon, who had crossed into Ireland in October, in all probability as the bearer of Charles's incitement to the Irish lords to raise his standard in Dublin, had stopped in Longford on his way south, to listen to the terms demanded by the rebels, and had carried those terms to the Irish Peers. At a short meeting of the Irish Parliament, now entirely in the hands of the Catholics, it had been resolved to open negotiations with the northern rebels, and to despatch Dillon, though

¹ Bere to Pennington, Dec. 30, *S. P. Dom.*

he was himself Protestant, to England. On his arrival, Dillon informed Charles that the Catholic lords were ready to support the Crown, on the condition of complete liberty of religion and of the complete independence of the Irish Parliament.¹ Pym, who does not seem to have been acquainted with this negotiation, knew of Dillon's arrival. Dillon was arrested and examined by a committee, from which, on the 27th, Pym made his report. That report disclosed at least part of the plan of the Catholic peers.

Lord Dillon
in England.

The terms
of the
Catholic
Peers.

Dillon's
scheme.

The Lords Justices were to be removed, and Ormond was to take their place. The Irish Parliament, when it met in January, was to continue in session. At its recommendation some officers would be dismissed, and others put in their room, because, as matters stood, 'most of the officers' were 'more faithful to the Parliament of England than to the King.' The petition which Dillon had brought from Longford, in which full toleration was demanded, would then be granted.²

Such were the overtures of which Dillon had made himself the mouthpiece. Can it be wondered that the Commons saw in them a fresh danger to the State? It is true that they did not know, as we know, that the plan for supplanting the Lords Justices by Ormond, and for securing the toleration of the Irish Catholics, had been in agitation during the whole summer, and was now favourably regarded by the King.³

The Com-
mons take
alarm.

¹ Giustinian to the Doge, Dec. $\frac{17}{27}$, Dec. $\frac{24}{Jan. 3}$, *Ven. Transcripts, R.O.*

² D'Ewes's Diary, *Harl. MSS.* clxii. 282 b.

³ On Jan. $\frac{2}{12}$, 1642, Rossetti wrote from Cologne, upon news derived from England somewhere about Dec. 20, that 'loro Maestà per restituirsi . . . nello stato di prima non puoco speravano nelle forze degl' Hibernesi,' and that the Irish were gaining strength, 'non senza intrinseco gusto del Rè d' Inghilterra, ancorche egli mostri et non possi far di meno di mostrare estrinsecamente l'opposito, poichè se bene vien ciò discorso in diversa maniera, tutto però sino dall' anno passato andavasi disponendo per potere poi anche tener in freno quel Parlamento dalle precipitose risoluzioni che si facevano contro la Regia autorità, intendendosi oltre di ciò di sradicare affatto la Religione Puritana, e concedere la libertà di coscienza a Cattolici con l' uso libero della Protestante et queste due solamente fossero e

Nor was it merely a future peril against which it was necessary to guard. Almost at the very moment at which the House was listening anxiously to Dillon's revelations, the blow had fallen in Ireland. By the junction of the Catholic lords with the Ulster rebels, what had hitherto been a local rising had grown to the dimensions of a national resistance.

It is unnecessary to enter in detail into the causes which brought about the breach between the Lords Justices and the Lords of the Pale. Each, with good reason, thoroughly distrusted the other. The Lords Justices believed that the Lords were intriguing against them with the King, and that they would never cordially support a government by which their religion was proscribed. The Lords believed that the Lords Justices would never agree to tolerate their religion, or allow them to exercise any political influence.

On December 3 the Lords Justices invited the Lords of the Pale to come to Dublin to a conference on the state of the kingdom. The Lords, suspecting danger, declined to come,¹ and assembled on the 9th at Swords to consult together, refusing to disperse on orders so to do.

Dec. 3.
The Lords
Justices and
the Catholic
Lords.

Dec. 7.
but refuse to
come.

Dec. 15.
Sir Charles
Coote sent
to Clontarf.

A few days later Sir Charles Coote was sent out by the Government to punish some wreckers at Clontarf. Already that officer had earned for himself the detestation of the Irish. Having been sent against the Wicklow rebels he had led the way in those deeds of cruelty which were soon to balance the cruel actions of the Irish in the North.² His soldiers had been recruited from the Protestant fugitives from Ulster, and such men knew no mercy. To them an Irishman was but a savage beast, to be destroyed without pity. It was at least believed that Coote had looked on approvingly when one of his soldiers was carrying the body of an infant on the point of a pike, and had jestingly observed that he 'liked

permesse e stabilite, conforme pur hoggi di si vede andarsi levando a poco a poco tutte l' altre.'

¹ The Lords Justices and Council to Kildare and others, Dec. 3. 'The Lords of the Pale to the Lords Justices, Dec. 7, *Temple*, part ii. 22.

² Diary of Coote's Force, *Clarendon MSS.* i, 584.

such frolics.' At Clontarf, he burnt not only the village, but the house of a gentleman who was at that time at the meeting at Swords.

The Lords at Swords were not more ready to disperse upon the news of the outrage. The whole country round was in a disturbed condition. Whilst Irishmen were abroad plundering English troops, English troops were attacking the plunderers, cutting down and hanging those whom they caught.

The Lords and their followers had already abandoned Swords. On the day on which Clontarf was burnt they

Junction of the Lords of the Pale with the Ulster rebels. had summoned a meeting of the gentry of the county of Meath, at the hill of Crofty. Whilst they were still in discussion, a party rode up, amongst which

were the leaders of the Ulster rebels. It was not long before an agreement was struck up, and two discordant elements were merged, at least for a time, in national resistance.¹

Ormond stood by the King, and took no part in the resistance of the Catholic lords; but the relations between him and

Ormond and the Lords Justices. the Lords Justices were not such as to make any military success possible. He would gladly have attacked the Northern rebels earlier, but the Lords

Justices, prudent from their own point of view, preferred waiting for a Puritan army which would show no mercy to Irish Catholics. Already, before the actual combination between the two Irish parties had been formed, the Lords Justices and their supporters in Dublin congratulated themselves on the prospect opened before them. "Those great countries of Leinster, Ulster, and the Pale," they wrote to Leicester, "now lie the more open to His Majesty's free disposal, and to a general settlement of peace and religion by introducing the English."²

The consequences of the reluctance of the Lords Justices to act vigorously, excepting through their own instru-

Sir William St. Leger in Munster. ments, were bitterly felt in Munster. Sir William St. Leger, the President of that province, was a hale old soldier, with a soldier's contempt for unarmed multitudes,

¹ Carte's *Ormond*, iii. 141.

² The Lords Justices and some of the Council to Leicester, Dec. 14, Carte's *Ormond*, iii. 176.

and a soldier's preference for prompt action in time of peril. "In these days, my lord," he had written to Ormond, "Magna Carta must not be wholly insisted upon." The Munster rebels must be attacked at once. "It is not possible," he thought, "that 12,000 naked rogues could stand before 1,000 well-armed horse. . . . I would venture my life to go through the North with 2,000 foot and 600 horse."¹ Not long after these words were written his skill and courage were put to the test.

Nov. 20. In Tipperary a rabble carried off a large number of cattle belonging to the President's brother-in-law. Taking with him two troops of horse, St. Leger rode off in pursuit of the offenders, killing and hanging those whom he

Nov. 25. could seize, sometimes, it is said, persons who had no part in the robbery. The news of these violent proceedings raised the nobility and gentry of the district. Some of them told St. Leger that he had been to blame in exasperating the people. Replying fiercely that they were all rebels, and that he would not trust a soul of them, he rode off to Waterford. Subsequent attempts to restore peace were unavailing. The English were everywhere plundered when out of the protection of stone walls, and there were some murders. The influence of the Irish gentlemen and of the Catholic priests was thrown on the side of mercy, but that influence was not

December. always available. By the middle of December Munster was in full revolt, and the English had been driven for refuge to such fortified posts as they still held.² By the vigour of Clanricarde some sort of order was still preserved in Connaught.

Such was the news which dinned upon the ears of the Commons at Westminster. Many of them were convinced that the King's advisers were at the bottom of the mischief, and, as we now know, they were not wholly in the wrong. Unfortunately, they struck in the wrong place. A member stood up and named Bristol as an evil counsellor. Orders were given to produce the

¹ St. Leger to Ormond, Nov. 8, 13, Carte's *Ormond*, Letters xxxiv., xxxv., xxxviii.

² Account of the insurrection in Tipperary, *Carte MSS.* ii. fol. 74.

Dec. 27.
Feeling
produced
on the
Commons.
Charge
against
Bristol.

letters in which, in 1626, he was charged by the King with having persuaded him at Madrid to change his religion.¹

Even amongst the Lords, the events of the last few days had not been without effect. They asked the Commons to join them in bringing to justice the person who had informed the King against Newport. Their attention was, however, soon

The mob at Westminster. drawn in another direction. A crowd of apprentices and others, attracted by curiosity or love of excitement, had come to Westminster to see the members as they entered the House. When the Lords arrived they broke out into shouts of "No Bishops! No Popish Lords!"

Williams insulted. Williams clutched at a lad who was amongst the noisiest. His comrades rushed to the rescue. The Archbishop was hustled and his gown torn. About 500 of the rioters poured into Westminster Hall, where they found Lunsford, and a party of officers who had formerly served in the dis-

The rioters chased by the officers. charged army. Lunsford and his friends drew their swords and chased the mob out of the Hall, following them up King Street, and striking at those whom they could reach. A few of the fugitives were wounded, and for a time the officers appeared to have everything their own way. After a while the runaways recovered their spirits, and with a shower of stones drove their assailants to take refuge in Whitehall.²

The Lords not unnaturally treated the appearance of the mob as an interference with their freedom. On the one hand

Measures proposed by the Lords. they offered to do justice to any man who had been injured by the officers. On the other hand, they

asked the Commons to join in a declaration against riotous assemblies, and to petition the King for a guard.³ The danger to themselves was a very present one. The crowd had remained shouting and gesticulating after its victory, and when the sitting came to an end Hertford warned

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 284 b. *C. J.* ii. 358.

² Slingsby to Pennington, Dec. 30, *S. P. Dom.* Salvetti's *News-Letter*, Dec. 31
Jan. 10

³ *L. J.* iv. 493.

the bishops of the risk which they would run in the streets and advised them to pass the night within the precincts of the House. "These people," he said, "vow they will watch you at your going out, and will search every court with torches so as you cannot escape." The danger was not so great as Hertford imagined, and the bishops reached their homes in safety.¹

The next morning only two of the bishops² were bold enough to take their seats. It is easy to ridicule those who absented themselves as unreasonably careful for their own safety. The mob had done no great harm as yet. But the only thing that can be safely predicted of an excited and undisciplined mass of human beings is that its future proceedings are beyond calculation, and the bishops cannot be blamed for refusing to expose themselves to danger. By this time the mob was thoroughly bent on mischief. Missing their sport with the bishops, they rushed to Westminster Abbey to break down the organ and the altar. Fortunately, they were kept at bay by Williams's servants, assisted by some gentlemen whom he called to his aid.

If both Houses had combined to restore order, the task would have been easy. Unhappily, after the appointment of Lunsford and the examination of Dillon, the majority of the Commons was far too much afraid of the mob, King to join the Lords in taking action against the mob. They firmly refused to throw blame upon the citizens. "God forbid," said Pym, "the House of Commons should proceed in any way to dishearten people to obtain their just desires in such a way."³ "The greater part of the House," noted D'Ewes, "thought it unreasonable to make any such declaration at this time, to discontent the citizens of London, our surest friends, when so many designs and plots were

¹ Hall's 'Hard Measure,' *Works*, i. xlv.

² Goodman of Gloucester and Pierce of Bath and Wells. *H. of Lords' Minute Book*.

³ These words, given by Clarendon (iv. 14), are taken from Dover's Notes, *Clarendon MSS.* 1,603.

daily consulted of against our safety." The Lords were informed that the Commons would join them in asking for a guard, if Essex might command it. In a conversation which ensued Cromwell drove the nail home by moving an address to the King to remove Bristol from his counsels, on the ground that he had recommended him in the spring to bring the northern army to his support.¹

There is little doubt that Cromwell was mistaken. The Commons, however, were not likely to interpret Bristol's conduct more favourably when they learned that a debate had been raised in the Lords, on a motion to declare that, in consequence of the continued presence of the rabble, Parliament was no longer free.² Of this motion Bristol's son, Digby, was the warm supporter, and probably the actual proposer.³ A feeling sprang up in the Lower House that the proposal meant more than its words implied. If Parliament was not free now, it could hardly be said to have been free in May. If so, it might be held that Charles was not bound by the Act prohibiting a dissolution, and he might proceed at once either to get rid of a Parliament which he detested, or to adjourn it to some place where the citizens would not be able to come to its rescue.⁴

It is, of course, possible that less than this was intended. If the motion had been carried and had been followed by the adjournment of the House of Lords for a considerable time, the King would have had the Commons alone to deal with.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 287 b.

² The connection is plainly seen in the unfinished sentence which concludes the notice in the *Minute Book*. "Upon the rabble's coming and pressing about the Parliament there was much dispute whether this Parliament —"

³ The words ascribed to Digby are 'that the House of Commons have invaded the privileges of the Lords' House, and the liberty of the subject,' and 'that this is no free Parliament.'—*L. J.* iv. 495. Rossetti says he 'prese l' assunto di provare' this proposition, which looks as if he had proposed the motion.—Rossetti to Barberini, Jan. $\frac{2}{15}$, *R. O. Transcripts*.

⁴ Smith to Pennington, Dec. 30, *S. P. Dom.*

The Commons alone would have been constitutionally powerless to effect anything whatever. Whether the King had made up his mind or not to seize their leaders upon a charge of treason cannot be known ; but it can hardly be doubted that he had long contemplated such a measure, or that the scheme was favoured by a far larger number of persons than those who were ready to avow it after the attempt had been made and failed.

That failure had begun already. The perception of danger from the King as well as from the House of Commons made the Lords an uncertain support for the King to lean on. As far as was possible they strove to do their duty. Royalist as the

Upper House was, it voted, though by a bare majority of four, that Parliament was free.¹ The next day they not only consulted the judges as to the legal mode of dealing with the mob, but they directed the Attorney-General to draw up a proclamation forbidding the wearing of weapons in the vicinity of Parliament. They were wiser than the King. They wished to free the Houses alike from tumultuous citizens and swaggering officers.

Unhappily the Lords could not count on Charles. To repress all violence, and to throw the blame on those who persisted in attempting to disturb the peace, was too simple a course for him. There can be little doubt that his mind had

been strongly attracted to Ireland once more by Dillon's message, and on the 28th he had informed the Lords that he was himself ready to raise 10,000 volunteers for Ireland, if the Commons would find them pay.² The very next day those, if any there were, who were disposed to trust him with the selection of such a force,

received a warning against the imprudence. On the 29th the King invited to dinner the very officers against whom complaints had been made, as a compliment to them on their appointment to commands in the

¹ *L. J.* iv. 494. Rossetti to Barberini, Jan. ¹⁶/₂₈, *R. O. Transcripts*.

The attendances given in the Minute Books show that 54 were present, and that some of the Opposition, who had protested on the 24th, were absent.

² *L. J.* v. 494.

army destined for Ireland.¹ A force selected by the King, and officered by Lunsford and his companions, was the new danger against which Pym had to provide.

It was, indeed, difficult to keep the peace amidst such jarring elements. In those days of trouble, two names, destined to a wide celebrity, were heard of for the first time. The high-mettled gentlemen sneeringly applied the appellation of Roundheads to the short-haired apprentices who had rejected the unloveliness of lovelocks. Their adversaries retorted by speaking of the officers as Cavaliers—a word which carried with it a flavour of opprobrium, as implying a certain looseness and idleness of military life. Before long the two nicknames would be the accepted terms for two great political parties.

When the Cavaliers came out from dinner, eight or ten of them strolled in front of the Palace. There they found about a hundred men, armed with clubs, swords, and staves, bawling out “No Bishops! No Popish Lords! Hang up the Popish Lords!” Spying the group of officers, they shouted, “There stand redcoats, a knot of Papists!” and one of the crowd followed up the abuse by throwing a clot of dirt. On this ‘the gentlemen, with their swords drawn, went over the rails to them, and so the affray began, many swords being drawn on either side, and those who would deliver their swords, the gentlemen gave them a kick, and bade them begone; others that resisted had some hurt.’ Other similar combats—if combats they can be called—occurred in the neighbourhood. Some sixty citizens, according to one account, and one or two gentlemen were more or less injured.² As they went off, the citizens threatened to return on

The fray in
front of
Whitehall.

¹ The disturbance, of which an account will be immediately given, happened ‘le jour que le Roy traittoit les colonnels et capitaines qui doivent aller en Irlande.’—Heenvliet to the Prince of Orange, Jan. $\frac{7}{17}$, *Groen van Prinsterer*, 2me sér. tome iii. 498.

² Heenvliet to the Prince of Orange, Jan. $\frac{7}{17}$, *Groen van Prinsterer*, 2me sér. tome iii. 398. Examinations of Cox, Downs, and Sherlok, Dec. 29, *S. P. Dom.* The gentlemen ‘in all their skirmishes have avoided thrust-

the morrow for their revenge. At Court it was expected that they would come 10,000 strong.¹

In the face of this threat Charles finally determined to throw over the Lords. Instead of combining with them to set up some constitutional barrier against tumultuous assemblies, he fell back upon the officers whom he had gathered round him. He directed that all the gentlemen of his Court should wear swords, and that a guard should be posted at Whitehall Gate. Those very men whose presence was offensive to both Houses were to form his mainstay in time of trouble.

Worse was yet to come. As the King was going to bed, Williams arrived with a protest, signed by himself and eleven other bishops, for presentation to the King and the Lords. The bishops, it declared, having been violently assaulted in coming to the House, and lately chased away and put in danger of their lives, could find 'no redress or protection.' They therefore protested that all laws, orders, votes, resolutions, and determinations made in their absence were null and void; or, in other words, that the vote of the 28th, declaring Parliament to be free, was to be set aside as irregular.² They concluded by asking the King to command that this protest should be entered amongst the records of the House.³

Was this protest, so memorable in its consequences, in reality the work of Williams? Charles took it from the hand of the Archbishop, and, without reading a word, gave it to Nicholas. The next morning Nicholas, also without reading a word, gave it to the Lord Keeper, with instructions to lay it before the Lords.⁴ It is

ing at them because they would not kill them.'—Slingsby to Pennington, Dec. 30, *S. P. Dom.*

¹ Smith to Pennington, Dec. 30, *S. P. Dom.*

² Rossetti distinctly points to this particular vote as the one to be annulled by the protest.—Rossetti to Barberini, Jan. ¹⁶/₂₆, *R. O. Transcripts.*

³ *L. J.* iv. 496.

⁴ Heenvliet to the Prince of Orange, Jan. ²/₁₇, *Groen van Prinsterer*, sér. 2me, tome iii. 497.

impossible to believe that if Charles had never seen it before he would not have taken the trouble to make himself master of its contents. The initiation of the plan may, in all probability, be traced to Digby, the most indiscreet of Charles's partisans. On the afternoon of the 28th he had been baffled in his attempt to obtain the assent of the Lords to a declaration that Parliament was no longer free. What can be more probable than that he was the suggester of a scheme by which that vote might be treated as null and void ?

Whatever doubt may be entertained as to the authorship of the protest, there can be none as to its effect. At a time when

Effect of the
protest on
the Lords.

the monarchy had no better friends in England than the Peers, it administered to them a severe rebuke

by inviting the King to order them to register an assertion that Parliament was not free, in the teeth of their vote of the previous day. Even the proved fidelity of the Lords gave way before such an insult as this. They at once communicated the protest to the Commons as 'containing

The Lords
side with the
Commons.

high and dangerous consequence,' and extending to the deep intrenching upon the fundamental privileges and being of Parliament.¹ Once more the two

Houses were of one mind. Charles had in a moment done all for which during many weary weeks Pym had been struggling in vain. No wonder that, when the news reached the Commons, not a few of the members were overjoyed, 'at this

Pym moves
that the City
trained
bands
should
be sent for.

indiscreet and unadvised act of the bishops.'² At

Pym's motion the doors were closed. He, at least, did not believe that the authors of the protest intended to confine themselves to words. There was, he said, a design to be executed upon the House of Commons that very day, and it was therefore desirable to ask the City to send their trained bands to guard the imperilled Parliament.³

There can be little doubt that Pym spoke on trustworthy information. It is inconceivable that so much trouble should have been taken to obtain an excuse for treating the Parliament as no longer free unless there had been

Impending
danger.

¹ L. J. iv. 496.

² D'Ewes's Diary, *Harl. MSS.* clxii. fol. 294 b.

³ *Ibid.* fol. 295.

an intention of proceeding against the leaders of the Commons as enslavers of the commonwealth. Nor was it merely the present position of the Commons that was at stake. If all that had been done in the Lords since December 27 was to be annulled on account of the pressure of the mob, all that had been done since the meeting of Parliament might be annulled on account of the pressure of the Scottish army. It would doubtless be unjust to the King to imagine that he seriously contemplated the reconstitution of the Star Chamber and the High Commission, especially as he did not need them for the purpose which he had now on hand ; but there were certainly some amongst his followers who would have been glad to have treated the whole work of the Long Parliament as illegal. In a paper of jocular queries circulated in the City in the preceding summer, it was asked, ‘whether statutes enforced upon the King with the awe of an army will be of any force hereafter,’¹ and there can be little doubt that many of the gentlemen now guarding Whitehall would be ready to answer the question in the negative. Those officers were growing formidable. “I never,” wrote an observer of passing events, “saw the Court so full of gentlemen ; every one comes thither with their swords. This day 500 gentlemen of the Inns of Court came to offer their services to the King. The officers of the army since these tumults have watched and kept a Court of Guard in the Presence Chamber, and are entertained upon the King’s charge ; a company of soldiers put into the Abbey for the defence of it. The citizens, for the most part, shut up their shops, and all gentlemen provide themselves with arms as in time of open hostility. Both factions look very big, and it is a wonder there is no more blood yet spilt, seeing how earnest both sides are.

Civil war
feared. There is no doubt but if the King do not comply with the Commons in all things they desire a civil war must ensue, which every day we see approaches nearer.”²

As usually happens before the outbreak of war, the deeper causes which made it possible were almost forgotten in the immediate dangers of the situation. On one side was the alarm

¹ Queries, Aug., *S. P. Dom.*

² Slingsby to Pennington, Dec. 30, *S. P. Dom.*

caused by the mob, on the other side was the alarm caused by the armed retinue of the King. Nor was it unlikely that the officers at Whitehall would soon have troops at their disposal. That very day drums were beating in the streets for the levy of the volunteers who were to form the army which was to be commanded by Lunsford and his comrades.¹

Yet, in spite of all this, Pym found it hard to move the Commons to a full sense of the danger in which they were. They refused to assent to his motion for summoning the trained bands from the City, contenting themselves with again appealing to the Lords to join them in asking for a guard. In other respects the House was ready to answer to the signal given them by the Peers. At Pym's motion, the bishops who had signed the protest were impeached as guilty of high treason by endeavouring to subvert the fundamental laws of the kingdom, and the very being of Parliament. One member indeed said that 'he did not believe they were guilty of treason, but that they were stark mad; and therefore desired that they might be sent to Bedlam.'² No other voice was raised in their favour.

The impeachment was at once accepted by the Lords. Before night ten of the twelve found themselves in the Tower.

The other two were sent to the House of the Usher of the Black Rod, on the ground of their age and infirmity.

The wits made merry over Williams's mischance. One caricature represented him as a decoy duck leading his brethren into captivity. Another depicted him as clad in military guise, with a musket in his hand, and a bandoleer slung over his episcopal robes. Laud, it is said, was much amused at this last stroke of wit at his rival's expense.³

¹ The fact is mentioned in Salvetti's *News-Letter* of Dec. 31st Jan. 10th, but as the arrest of the bishops is spoken of as having taken place—'questa sera'—it is evident that the passage was written on the 30th. A Committee of the Commons was named on the 31st to inquire into the matter.—*C. J.* ii. 365.

² *C. J.* ii. 363. *Clarendon*, iv. 145.

³ Heylyn's *Cypr. Angl.* 492.

High Treason was a large word to apply to that which the bishops had done, most of them in mere inadvertence. There can, however, be no doubt that they had allowed themselves to become the tools of men more unscrupulous than themselves. Their protest was the first step in a course by which Charles was to make himself again master of the State under legal forms. Their impeachment was the first step in a course by which the leaders of the Commons were to make themselves masters of the State under legal forms. The two rival authorities had been playing a game for the good will of the House of Lords, and Charles, with victory in his hands, had thrown his chance away.

No doubt Pym never thought of sending the bishops to the scaffold. It was enough for him if he could get rid of their adverse votes. From that time no more than four bishops took their seats in the House.¹ Yet, even then the peers persisted in their efforts at mediation. They still refused to ask that Essex might command the guard which all acknowledged to be necessary, on the ground that the King ought not to be pressed to name a particular person.²

The moderation of the peers was lost on Charles. He took no steps to restore confidence. The Commons gave orders, as they had formerly done, to some of their own members who happened to be justices of the peace, to see to the security of their House. The next day they conveyed to the King an independent request for the appointment of the Earl of Essex, and directed halberts to be brought into the House for their own use in case of a sudden attack. At the same time they adjourned till January 3, ordering that a Committee of the whole House should meet at Guildhall. The House could not adjourn itself to any place but Westminster. A committee, it was now held, could meet anywhere.

Both parties were of one mind in wishing to conciliate the

¹ On Jan. 3 and 4 there were only four bishops present.—*House of Lords' Minute Book.*

² *Ibid.*

City. On the same day as that on which the Committee was appointed, a request was addressed by the King to the Common Council, that they would lend their trained bands to preserve order, and the Common Council had answered in the affirmative.¹

Yet, in spite of this, the King's situation was sufficiently gloomy. It was probably on the following day, the first of the New Year, that he took the unexpected step of sending for Pym, and offering him the Chancellorship of the Exchequer.² Whether Pym refused to come, or Charles repented his hasty decision, cannot now be known. Two hours later he had fixed on Culpepper for the post, with Falkland as his colleague in the vacant secretaryship. At the Sunday sitting of the 2nd, they were both sworn as Privy Councillors, though they did not officially take up their appointments till a few days later.

In themselves, neither Culpepper nor Falkland was likely to render much assistance to Charles. Culpepper was a ready debater, and nothing more; whilst Falkland's sensitive mind was more anxious to avoid the responsibility of doing anything that he could not justify to himself, than to strike out the path of safety for others amongst the dangers which showed themselves on every side.

The real leader of the party in the Commons was Hyde, as Bristol was its leader in the Lords, though Hyde preferred to remain an unofficial adviser. What conduct Hyde would have

¹ C. J. ii. 364, 365. *An Exact Collection*, 30. *Rushworth*, iv. 472.

² "The King is too flexible and too good-natured; for within two hours, and a great deal less, before he made Culpepper Chancellor of the Exchequer, he had sent a messenger to bring Pym unto him, and would have given him that place."—Dering to Lady Dering, Jan. 13. *Larking's Proceedings in Kent*, 66. As Mr. Forster shows, Culpepper was announced to the Council as Chancellor of the Exchequer on Sunday, the 2nd. The Council was usually held after the morning service, and it is more likely that the message to Pym would have been sent on Saturday than when the King was just going to the chapel. Besides, Culpepper may very well have been informed of his appointment on the 1st.

recommended at this conjuncture is of no historical importance. No doubt he regarded as traitorous the attempt to effect a change of law by bringing down a mob to intimidate the House of Lords ; and it is probable enough that he regarded Pym and a few others as having justly earned the penalty which he had himself joined in awarding to Strafford. But we may be sure that no reasonable man would have advised an attack upon the leaders of the Commons at a moment when the House of Lords had been alienated by conduct so irritating. If Charles was about to make a false move, it was not from Hyde, or Culpepper, that the impulse came.

Hyde as an
unofficial
adviser.

Just as Charles fancied that he had once more placed himself on constitutional ground, he received news from the City which must have filled him with agony and alarm. There had been, it was said, long secret conferences amongst the Parliamentary leaders, who had betaken themselves to Guildhall to attend the Committee. They had convinced themselves that the Queen was at the root of the mischief, and had resolved to impeach her as having conspired against the public liberties, and as having held intelligence with the Irish rebels.¹

The Parlia-
mentary
leaders are
said to
intend to
impeach the
Queen.

¹ They, wrote the Venetian ambassador, ‘fermati in lunghe segrete conferenze, persuaderano a se stessi che le mosse del Rè et i risentimenti di lui procedessero da consigli della Regina, deliberarono perciò di accusarla in Parlamento di conspiratione contro la libertà publica, e di secreta intelligenza nelle sollevationi d’Irlanda, il che tutto penetrato dalle Maestà loro prese espediente il Rè di abandonare l’uso della disimulatione, e dichiarare al Parlamento della Camera Alta colpevoli di tradimento cinque Parlamentarii della Bassa ed uno della Alta.’—Giustinian to the Doge, Jan. 7, *Ven. Transcripts*. Heenvliet says much the same thing : ‘qu’ils commencèrent à parler, comm’ on m’a dit, de mettre la main sur la Royne, et que ce n’estoyent que ces six surnommés.’—Heenvliet to the Prince of Orange, Jan. 7, *Groen van Prinsterer*, 2me sér. tome iii. 497. An English letter reports that ‘it is said Parliament have been treating of something concerning the Queen, *et hinc ille lacrymæ*.’—Berners to Hobart, Jan. 10, *Tanner MSS.* lxvi. fol. 234. All this bears out Clarendon’s statement (iv. 280). On Jan. 20 Stapleton informed the Commons that the

No one knew better than Henrietta Maria what a crushing case could be made out against her. Army plots and Irish plots, intrigues with the Pope and intrigues with the Prince of Orange, must have stood out clearly in her memory, to be recalled not with shame, but with regret. In such a mood she may well have given ear to the intemperate Digby, who was in the same case with herself. Since his declaration that Parliament was not free, impeachment stared him in the face.

To impeach the impeachers of the Queen was the course which recommended itself to that impetuous counsellor.¹ It

The assail-
ants to be
impeached.

was what Strafford had urged Charles to do, fourteen months before, and to Strafford's rejected advice Charles came at last. Hesitating and irresolute as he was, he could hesitate no longer. The danger of his wife touched him more nearly than his own. To save her from insult and ruin he had sacrificed his most faithful minister. For her dear sake he was ready now to stake his throne.

Five members of the House of Commons—Pym, Hampden, Holles, Hazlerigg, and Strode—were selected as the main offenders. There can be no doubt that, if by the

The charge
against the
five mem-
bers.

fundamental laws of England was meant that constitutional arrangement which had prevailed in the days of Elizabeth, they were guilty of treason at least as much as Strafford had been guilty. If he had done his best to reduce parliaments to a cipher, they had done their best to reduce the Royal authority to a cipher. The true defence of both Strafford and Pym was that the old constitution had broken down and

(Queen told Newport 'that articles had been preferred to her which should be put into Parliament against her.'—D'Ewes's Diary, *Harl. MSS.* clxii. fol. 339. Afterwards the Queen said 'she never saw any articles in writing,' which does not necessarily clash with her former statement.—*An Exact Collection*, 68.

¹ Clarendon's assertion about Digby seems to me entirely in accordance with probability, in spite of Mr. Forster's argument, as the latter was not aware of the strength of the evidence on the proposed attack on the Queen. The quotation at p. 137 from Bates's *Elenchus motuum*, to the effect that the King's course was taken 'by the advice of some of the Privy Council who were themselves members of the House,' is hardly sufficient authority.

needed reconstruction ; but this argument, if it had been made at the time, would not have been likely, so far as Pym was concerned, to find favour with Charles.

In conducting these operations, the utmost secrecy was to be maintained. Of the law officers of the Crown, the Attorney-

Instructions to the Attorney-General. General, Sir Edward Herbert, was alone consulted. He received instructions, written in the King's own hand, directing him, as soon as the charge was laid

before the peers, to ask for a secret committee to examine evidence. If Essex, Warwick, Holland, Saye, Mandeville, Wharton, or Brooke were named as members of

Jan. 2. it, he was to object, on the ground that the King intended to call them as witnesses. Subsequently, Mandeville's name was scratched out of this list, and orders were given to impeach him together with the five members of the Lower House.¹ Digby, it was said, had offered to prove that when the rabble appeared at the doors of Parliament, Mandeville had bidden them to go to Whitehall.² As a point of tactics, as great a mistake was made by this resolution as had been made in the protest of the bishops. It called on the Lords to sacrifice a member of their own House.

The impeachment was fixed for the next day, January 3. As soon as the Lords met, Herbert appeared to charge with treason

Jan. 3. The impeachment. the six persons designated in his instructions. They had traitorously endeavoured to subvert the fundamental laws and government—to deprive the King of his legal power, and to place in subjects an arbitrary and tyrannical power over the lives, liberties, and estates of his Majesty's liege people. They had 'endeavoured, by many foul aspersions upon his Majesty and his government, to alienate the affections of his people.' They had 'endeavoured to draw his Majesty's late army to disobedience to his Majesty's commands, and to side with them in their traitorous designs.' They had 'traitorously invited and encouraged a foreign power to invade his Majesty's Kingdom of England.' They had 'traitorously endeavoured to subvert the rights and very being of Parliaments.' They had 'endeavoured, as far as in them lay, by force and

¹ Notes by the Attorney-General, *Nicholas MSS.*

² *Clarendon*, iv. 155.

terror, to compel the Parliament to join with them in their traitorous designs, and to that end had actually raised and countenanced tumults against the King and Parliament.' Lastly, they had 'traitorously conspired to levy, and actually had levied, war upon the King.'¹

As soon as the charge had been recited, Herbert asked for the arrest of the incriminated persons, and for the appointment of a committee to examine into the accusation against them.

Under ordinary circumstances, the House of Lords would have rallied round the throne. On that day four bishops were

present, and fifty-five lay peers, of whom only twenty-one afterwards opposed Charles in the Civil War.²

Yet, the Lords were in no mood to encourage an act of violence, even when it took a legal shape. Digby, who had undertaken to move for Mandeville's arrest as soon as the Attorney-General had done his part, whispered to Mandeville that the King was ill-advised, and hurried out of the House.³ He doubtless

gathered from the looks of the peers that he would fail to carry his motion. As soon as he was gone the Lords appointed a committee to inquire whether the Attorney-General's procedure had been according to law.

Already, before the news of the impeachment reached them, the Commons were in considerable excitement. The King's

answer to their petition for a guard had just reached them. "We," said Charles, "are wholly ignorant of the grounds of your apprehensions; but this we do

protest before Almighty God, to whom we must be accountable for those whom He hath entrusted to our care and protection, that had we any knowledge or belief of the least design of any violence, either formerly or at this time against you, we would pursue them to condign punishment, with the same severity and detestation that we would do the greatest attempt upon our Crown, . . . and we do engage unto you solemnly the word of a King, that the security of all and every one of you from violence, is, and shall ever be, as much our care as the preservation of us and our children; and, if this general assurance

¹ *L. J.* iv. 501.

² *House of Lords' Minute Book.*

³ *Clarendon*, iv. 154.

shall not suffice to remove your apprehensions, we will command such a guard to wait upon you as we will be responsible for to Him who hath charged us with the safety and protection of our subjects." ¹

The words were written on the 31st, before the impeachment of the members had been determined on. Yet, even now, there was nothing in them which Charles would care to disavow. In his own mind he was meditating a legal process against traitors, not a deed of violence. To the Commons his proceedings might bear another aspect. After some conversation on the dangers in the midst of which they were walking, a message was sent to the City to ask that the trained bands might be made ready.

The Commons appeal to the City.

By this time the news of the impeachment had probably reached the House. Then Pym rose to say that his own study, as well as those of Holles and Hampden, had been sealed up by the King's directions. It was at once resolved that to do this without leave from the House was a breach of privilege. In this the Lords were asked to concur, as well as in a resolution that the assemblage of soldiers at Whitehall was a breach of privilege. The Commons also requested the Peers to insist on having a guard to be approved of by both Houses.

Members' studies sealed up.

Before anything could be done, the Serjeant-at-Arms appeared with orders from Charles to arrest the five members.

The arrest of the five members demanded.

A committee was named to acquaint the King that the demand concerned their privileges, and that they would send a reply as soon as they had given it full consideration. In the meantime, the gentlemen named would be ready to answer any legal accusation. That this might be made plain, the five members were ordered to appear in their places from day to day.

Whether the King's attempt to arrest the members was justifiable or not, it was one more offence given to the Lords. They had hitherto been in the habit of deciding on the arrest of impeached persons, and they had just appointed a committee to inquire what was the

Offence given to the Lords.

¹ *Rushworth*, iv. 471.

proper course to pursue. Instead of trusting the Lords, Charles had sent to arrest five out of the six accused persons in his own name. The Lords at once took up the challenge. They ordered the studies which had been sealed up to be broken open, and, abandoning the position which they had hitherto maintained, they agreed to join in the request for such a guard as would satisfy the two Houses. A week before a large majority of the Peers was on Charles's side. He could no longer count even on a minority. The Commons, as might have been expected, went further than the Lords. They arrested the officers who had sealed up the doors of their members.¹

It is easy to understand that Charles saw nothing in all this but a sheer defiance of his authority. He honestly believed that Pym and his associates were engaged in an attempt to alter by force the existing order of things, and he no less honestly believed that that existing order was good for England as well as for himself. In appealing to law, he appealed to that which seemed to him to be entirely on his side. As to precedents and legal maxims, he doubtless troubled himself very little about them. In England, precedents and maxims had grown up around the double centre of Parliament and the King, and something at least might be quoted on either side. At all events, Charles could remember having frequently heard that no privilege of Parliament was available against treason, and in 1626 his Attorney-General had accused Bristol before the Lords, without being met by any objection to the course pursued.²

That evening Charles took counsel with his intimates at Whitehall. Urged on by Digby and the Queen,³ he resolved to go in person to secure the members, if necessary, in Parliament itself. He had on his side the trusty

¹ L. J. iv. 501. C. J. ii. 366. D'Ewes's Diary, *Harl. MSS.* clxii. 300 b.

² "He had a precedent for it, in his own time, of Sir R. Heath, his then Attorney's impeaching of myself of High Treason, which impeachment was received and admitted of by the House of Peers."—*An Apology of John Earl of Bristol* (E. 897), p. 53.

³ This seems to have been the meeting referred to by Clarendon, iv. 154.

Cavaliers at Whitehall. The Tower was in Byron's hands, and Byron would keep it safely. Thirty or forty artillerymen were introduced into the fortress, and the men of the Tower Hamlets, who formed the usual garrison, were deprived of their arms.¹ An answer to the petition of the House was prepared, in which Charles announced his intention of giving them a guard selected by the Lord Mayor, and commanded by the Earl of Lindsey; and he knew that both the Lord Mayor and Lindsey could be trusted.²

This answer was never sent. A message was despatched to the Lord Mayor, bidding him to refuse obedience to orders from the Commons, and to raise the trained bands to keep the peace in the City, and even to fire on rioters if it were necessary. Gurney was already in bed when the message reached him, but he promised to obey the directions given when morning came.³ Charles might well hope that no mob from the City would appear at Westminster on the morrow. At the same time, Sir William Killigrew and Sir William Fleming were sent round to the Inns of Court, charged to exhibit the articles against the members, and to ask the lawyers who had come to Whitehall in the last week to defend the King, to keep within doors on the following day, and to be 'ready at a moment's warning.'⁴

If the members were to be arrested at all, common prudence would have dictated an attempt to seize them in their beds, as the French Parliamentary leaders were seized in 1851. Such a course it was impossible for Charles to adopt. He wanted—if it were but for the satisfaction of his own mind—to preserve the appearance of legality, and he

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 303 b.

² Answer for a guard, *Forster's Arrest of the Five Members*, 116, note.

³ The King to the Lord Mayor, Jan. 3. Latch to Nicholas, Jan. 4, *Forster*, 157, 159. The Queen Mother afterwards told Rossetti that her daughter had written to her in these words: "I rumori di quà si sono condotti à segno tale che all' arrivo di questa lettera in Colonia bisogna ò che noi siamo rovinati ò che il Re assolutamente comandi."—Rossetti to Barberini, *Jan. 23, Feb. 2, R. O. Transcripts.*

⁴ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 305 b.

probably imagined that he could persuade even the House of Commons of the rectitude of his intentions. No doubt he must have sufficient force about him to secure his object, and to compel obedience if it were denied. It was not in his character to expect a persistent refusal, or to represent clearly to himself the bloodshed which might ensue in case of resistance.

Charles little imagined that before he went to bed that night his secret was already known.¹ Very possibly Clarendon may have been right in thinking that Will Murray was the betrayer. The next morning, when the House met, the five members protested their innocence.² The Commons

The secret
betrayed.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 306 b.

² Mr. Forster here introduces long speeches of Pym and Hampden, without giving any reference. They are to be found in two contemporary pamphlets. On the title-page of Pym's speech the date given is Wednesday the 5th of January, and the other is said to have been spoken by Mr. Hampden, Burgess for Buckingham (!), on Wednesday the 4th. Some one has corrected this date to the 5th. Surely Mr. Forster ought not to have dated the speeches on the 4th without remark! A further examination of Pym's speech shows that it cannot possibly have been spoken on the 4th. Amongst queries proposed, according to Mr. Forster (p. 164), is 'whether to beset the doors of the House during such accusation' be not a breach of privilege, which is followed by a reflection that 'the last question had a pregnant meaning on the morning of this eventful day, but its full significance was still to come.' The actual question assigned to Pym in the printed speech is 'whether for a guard armed to come into the Parliament to accuse any of the members thereof be not a breach of the privilege thereof.' Obviously this cannot have been said till after the attempt of the 4th. This is, however, equivalent to saying that it cannot have been said at all. As Mr. Forster was aware, Pym was not in the House on the 5th, having taken refuge in the City. Neither can he have spoken it at any time in the City, as it is addressed to Mr. Speaker, and the House was then in committee. Besides, there is not the slightest trace of any such speech then occurring. As for the dates assigned, in reality the 5th was on a Wednesday. We have further three other printed speeches, one assigned to Hazlerigg, as on Tuesday the 4th, one to Holles, as on Wednesday the 5th, one to Strode, as on Tuesday the 3rd, and to crown the absurdity one said to be Lord Kimbolton's (Mandeville's) addressed to Mr. Speaker. I have no doubt that they are all forgeries. It is to the point that on Jan. 25 one Martin Eldred confessed that a young Cambridge scholar forged a petition for him, which a stationer printed, purchasing it for half a crown, on which D'Ewes said 'that there were now

sent up the articles of accusation to the Lords as a scandalous paper, accompanying them with a request that inquiry might be made into its authorship. Messages were sent to the Inns of Court, to express the assurance of the House that their members would not act against Parliament. Soon afterwards news was brought 'that there was a great confluence of armed men about Whitehall,' and it was known that measures had been taken to secure the Tower for the King. A fresh message was thereupon sent off to warn the City. Nothing more had been done when the House adjourned for the dinner hour at noon.¹

If the blow had not already fallen, it was because Charles had been involved in his usual vacillation. According to a not improbable account, he had that morning sought out the Queen, and had given strong reasons against the execution of the plan. Henrietta Maria was in no mood to accept excuses. "Go, you coward!" she cried, "and pull these rogues out by the ears, or never see my face more." Charles bowed to fate and his high-spirited wife, and left her, resolved to hang back no longer.² Again there was delay, perhaps on account of the adjournment at midday; and before Charles actually left Whitehall the Queen had trusted the secret to her ill-chosen confidante Lady Carlisle, and Lady Carlisle at once conveyed the news to Essex.

abiding in and about London certain loose, beggarly scholars, who did in alehouses invent speeches, and make speeches of members in the House.' On Feb. 9, D'Ewes again spoke to the effect 'that there had [been] much wrong offered of late to several members of this House by publishing speeches in their names which they never spake. I had yesternight a speech brought to me by a stationer, to whom one John Bennet, a poet lodging in Shoe Lane, sold it for 2s. 6d. to be printed. It was pretended to be spoken at a conference with the Lords on Friday last, when the Bill for taking away the bishops' vote was carried up, at which time there was no conference at all about that matter. . . . He hath fathered this speech upon me.'—D'Ewes's Diary, *Harl. MSS.* clxii. fol. 351 b; 376.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 304 b.

² So far from Anchitell Grey's note in *Echard*, ii. 520. The betrayal by Lady Carlisle is given by Madame de Motteville, and may be accepted in general terms, though the details are manifestly incorrect. On other versions see *Forster*, 139.

Before dinner was over the five accused members received a message from Essex, telling them that the King was coming in person to seize them, and recommending them to withdraw. They could not make up their minds as yet to fly. In truth, Charles was still hesitating in his usual fashion, and it might be that he would never accomplish his design. When the House met again at one, satisfactory replies were received from the Inns of Court. The lawyers said that they had gone to Whitehall, because they were bound to defend the King's person, but that they were also ready to defend the Parliament. The Lords, too, had shown themselves resolute, and had agreed to join the Commons in styling the Attorney-General's Articles a scandalous paper.¹

Warnings sent to the five members.

Answers from the Inns of Court.

Then came a statement from Fiennes. He had been to Whitehall during the adjournment, and had been told by the officers that they had been commanded to obey Sir William Fleming, one of the two who had been sent round to enlist the lawyers on the King's side.

Fiennes's story.

The full meaning of this news was soon to appear. It may be that the contemptuous term applied to the accusation which he had authorised had at last goaded Charles to action. Late—but, as she fondly hoped, not too late—the Queen had her way. About three o'clock, Charles, taking with him the Elector Palatine, hurried downstairs, calling out, "Let my faithful subjects and soldiers follow me." Throwing himself into a coach which happened to be near the door he drove off, followed by some three or four hundred armed men.²

The King sets out from Whitehall.

Such a number could not march at any great speed. A Frenchman, named Langres, who had probably been set to watch by the Ambassador La Ferté, pushed through the crowd, and ran swiftly to the House of

The news carried to the House.

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 305 b. *L. J.* iv. 503. It is impossible to reconcile the story told by Madame de Motteville about the Queen and Lady Carlisle with anything that can possibly have occurred.

² Giustinian's despatch, Jan. $\frac{7}{17}$, *Ven. Transcripts*, R. O.

Commons.¹ He at once called out Fiennes and told him what he had seen.² The five members were at once requested to withdraw. Pym, Hampden, Hazlerigg and Holles took the course which prudence dictated. Strode, always impetuous, insisted on remaining to face the worst, till Erle seized him by the cloak and dragged him off to the river-side, where boats were always to be found. The five were all conveyed in safety to the City.³

It was high time for them to be gone. Charles's fierce retinue struck terror as it passed. The shopkeepers in the mean buildings which had been run up against the north end of Westminster Hall hastily closed their windows. Charles alighted and strode rapidly through the Hall between the ranks of the armed throng. As he mounted the steps which led to the House of Commons, he gave the signal to his followers to await his return there. About eighty of them, however, probably in consequence of previous orders, pressed after him into the lobby, and it was afterwards noticed that 'divers of the late army in the North, and other desperate ruffians' had been selected for this post.

Charles did his best to maintain a show of decency. He sent a message to the House, informing them of his arrival. As he entered, with the young Elector Palatine at his side, he bade his followers on their lives to remain outside. But he clearly wished it to be known that he was prepared to use force if it were necessary. The Earl of Roxburgh leaned against the door, keeping it open so that the members might see what they had to expect in case of resistance. By Roxburgh's side stood Captain David Hyde, one of the greatest scoundrels in England.⁴ The rest were armed with

¹ D'Ewes says that the Frenchman 'passed through the troop.' Mr. Forster, misreading the last word as 'roof,' makes him climb over the roofs of the houses, in which case he would hardly have reached his destination in time.

² La Ferté's despatch, Jan. $\frac{6}{16}$, *Arch. des Aff. Etr.* xlix. fol. 8. D'Ewes's Diary, *Harl. MSS.* clxii. fol. 310 b. ³ *Ibid.* fol. 306 b.

⁴ See the account of him in Webb's *Memorials of the Civil War in Herefordshire*, i. 219.

swords and pistols, and many of them had left their cloaks in the Hall with the evident intention of leaving the sword-arm free.

As Charles stepped through the door which none of his predecessors had ever passed,¹ he was, little as he thought it, formally acknowledging that power had passed into new hands. The revolution which his shrewd father had descried when he bade his attendants to set stools for the deputies of the Commons as for the ambassadors of a king, was now a reality before him. He had come to the Commons because they would no longer come to him. To Charles the new constitutional fact was merely a temporary interruption of established order. In his eyes there was visible no more than a mortal duel between King Charles and King Pym. As he moved forwards, the members standing bare-headed on either side, his glance, perhaps involuntarily, sought the place on the right hand near the bar which was usually occupied by Pym. That seat was empty. It was the one thing for which he was unprepared. "By your leave, Mr. Speaker," he said, as he reached the upper end of the House, "I must borrow your chair a little." Standing in front of it, he cast his eyes around, seeking for those who were by this time far away.

"Gentlemen," he said at last, "I am sorry for this occasion of coming unto you. Yesterday I sent a Serjeant-at-Arms upon a very important occasion to apprehend some that by my command were accused of high treason, whereunto I did expect obedience, and not a message; and I must declare unto you here that, albeit no king that ever was in England shall be more careful of your privileges to maintain them to the uttermost of his power than I shall be, yet you must know that in cases of treason no person hath a privilege; and therefore I am come to know if any of those persons that were accused are here."

Once more he cast his eyes around. "I do not see any of them," he muttered. "I think I should know them." "For I

¹ Except Henry VIII., as Slingsby wrote; but surely this is only an indistinct reminiscence of Wolsey's presentation of himself before the Commons.

must tell you, gentlemen," he went on to say, in continuation of his interrupted address, "that so long as those persons that I have accused—for no slight crime, but for treason—are here, I cannot expect that this House can be in the right way that I do heartily wish it. Therefore I am come to tell you that I must have them where-soever I find them."

Then, hoping against hope that he had not come in vain, he put the question, "Is Mr. Pym here?" There was no reply, and a demand for Holles was no less fruitless.

Looks in vain for the five members. Charles turned to Lenthall. "Are any of these persons in the House?" he asked. "Do you see any of them? Where are they?" Lenthall was not a great or heroic man, but he knew what his duty was. He now gave voice, in words of singular force and dexterity, to the common feeling that no individual expression of the intentions or opinions

Asks whether they are present. of the House was permissible. "May it please your Majesty," he said, falling on his knee before the King, "I have neither eyes to see, nor tongue to speak in this place but as this House is pleased to direct me, whose servant I am here; and I humbly beg your Majesty's pardon that I cannot give any other answer than this to what your Majesty is pleased to demand of me."

The Speaker's answer. "Well," replied Charles, assuming a cheerfulness which he can hardly have felt, "I think my eyes are as good as another's." Once more he looked carefully along the benches. "Well," he said, "I see all the birds are flown. I do expect from you that you shall send them unto me as soon as they return hither. If not, I will seek them myself, for their treason is foul, and such a one as you will thank me to discover. But I assure you, on the word of a king, I never did intend any force, but shall proceed against them in a legal and fair way, for I never meant any other. I see I cannot do what I came for. I think this is no unfit occasion to repeat what I have said formerly, that whatsoever I have done in favour, and to the good of my subjects, I do mean to maintain it."¹

¹ I have put my account together from the narratives in *Rushworth*,

So Charles spoke, and so no doubt he thought. He did not intend to assassinate the five whom he accused, any more than Pym had a year before intended to assassinate Strafford. But he meant again to be King of England, as he and his father before him had understood kingship. It would not be his fault if resistance brought bloodshed with it.

He knew now that, for the time at least, he was baffled. As he left the House, with gloom on his brow, he could hear the cries of 'Privilege ! privilege !' raised behind him. His armed followers were exasperated at the failure. Those minutes of waiting had sadly tried their patience. Strange words had fallen from the lips of some of them. "I warrant you," said one, cocking his pistol, "I am a good marksman, I will hit sure." "A pox take the House of Commons," growled another : "let them be hanged if they will." When the King reappeared there was a general cry for the word which was to let them loose. "How strong is the House of Commons?" asked one. "Zounds !" cried another, as soon as the absence of the five was known, "they are gone, and now we are never the better for our coming." The general feeling of these men was doubtless expressed by an officer on the following day. He and his comrades, he said, had come 'because they heard that the House of Commons would not obey the King, and therefore they came to force them to it ; and he believed, in the posture that they were set, that if the word had been given, they should certainly have fallen upon the House of Commons.'¹

Such was the shape which Charles's legal and peaceable action took in the eyes of those whom he had called on to execute his design. The Commons at once adjourned, with the sense that they had but just escaped a massacre. The orderly D'Ewes testified his opinion of the danger by stepping to his lodgings and immediately making his will.²

D'Ewes, and the *Verney Notes*. Compare *Forster*, 184, and *Slingsby's* letter printed by him in a note to p. 194.

¹ *D'Ewes's Diary*, *Harl. MSS.* clxii. fol. 306 b, 310.

² *Ibid.* clxiii. fol. 121 b.

Charles could not afford to acknowledge that he had failed. The next day he set out for the City, hoping to obtain there what he had not obtained at Westminster. He took Jan. 5. with him in his coach Hamilton, Essex, Holland, and The King in the City. Newport, perhaps with the idea of sheltering himself under their popularity. The rumour spread that he was carrying them with him in order to imprison them in the Tower. Multitudes poured into the streets in no gentle humour. At last he reached Guildhall and made his demand to the Common Council. After he had spoken there was a long silence, broken at last by shouts of 'Parliament! Privileges of Parliament!' The meeting was, however, not unanimous. Cries as loud of "God bless the King!" were heard. Charles asked that those who had anything to say should speak their minds. "It is the vote of this Court," cried one, "that your Majesty hear the advice of your Parliament." "It is not the vote of this Court," cried another, "it is your own vote." "Who is it," asked the King, "that says I do not take the advice of my Parliament? I do take their advice; but I must distinguish between the Parliament and some traitors in it. Those I would bring to a legal trial." On this a man sprang on a form and shouted out, "Privileges of Parliament!" Charles repeated what he had said in a slightly altered form. "I have and will observe all privileges of Parliament, but no privileges can protect a traitor from a legal trial." In spite of the division of opinion, it was evident that there would be no surrender of the members. As the King passed out there was a loud shout of "Privileges of Parliament!" from the crowd outside. He stopped to dine with one of the sheriffs. On his way back to Whitehall the streets rang with the cry of "Privileges of Parliament!" One bold man threw into his coach a paper on which was written "To your tents, O Israel!" The allusion to Rehoboam's deposition was one which Charles could not fail to understand.¹

¹ *Rushworth*, iv. 479. La Ferté's despatch, Jan. 5, *Arch. des Aff. Étr.* xlix. fol. 8. Slingsby to Pennington, Jan. 6. Wiseman to Pennington, Jan. 6, *S. P. Dom.*

Every hour that passed leaving the five members still at liberty told against Charles. Whilst he was in the City the Houses met as usual at Westminster. The Commons contented themselves with drawing up a declaration in vindication of their broken privileges, after which they adjourned to the 11th, appointing a committee, in which any member who came might take part, to sit in the interval at Guildhall. As far as the rules of the House would permit, the Commons put themselves under the protection of the City.

The order was made in the midst of great excitement. It was rumoured that the scene of the preceding day was to be repeated, and that Charles was coming to arrest a fresh batch of members.¹

It is possible that the rumour was based on a proposal which appears to have been made by Digby soon after Charles's return from the City. If he might take with him Lunsford and a party of Cavaliers, he would tear the traitors from their hiding-places.² Charles was not prepared for open violence, and preferred to issue a proclamation commanding all his loving subjects to arrest them and to lodge them in the Tower, to be safely kept till they could be 'brought to trial according to justice.' Nothing was said of Mandeville, probably in order to avoid further collision with the Lords.

Already the City had declared against Charles. The Common Council, so divided in his presence, had, as soon as he was gone, agreed on a petition in which the cause of the five members was openly assumed to be just.³

The next day the Commons' Committee met at Guildhall. They at once proceeded to make out a case against the King, and began by voting that the impeachment itself was illegal. The debate which preceded this resolution has not been preserved, and we cannot tell how the strong precedent of Bristol's case was got rid of, unless it was

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 308 b.

² *Clarendon*, iv. 155.

³ *Common Council Journal Book*, xl. fol. 12.

argued that it applied merely to a member of the House of Lords. But it was felt that the main outrage lay, not in the impeachment, but in the attempted arrest. Treason, urged D'Ewes, must have been committed in the House or out of it. If the former were the case, only the House itself could bear witness of it, and its consent was therefore necessary to a trial; if the latter, the House must be satisfied of the truth of the charge before surrendering its members, 'for else, all privilege of Parliament must of necessity be destroyed, for by the same reason that they accuse one of the said members, they may accuse forty or fifty upon imaginary or false treasons.'

D'Ewes's
argument on
the privileges
of Parlia-
ment.

D'Ewes's last words had hit upon the actual danger. Antiquary as he was, he was more successful in laying down principles than in supporting them with precedents. He quoted two cases, one of which applied only to words spoken, whilst the other would have made against his own argument if it had been accurately stated.¹ A third precedent on which he relied was more to the point. He showed that the Peers, after trying several Commoners for the murder of Edward II., had declared, with the King's assent, that they would henceforward try no one who was not of their own order.²

He mis-
quotes pre-
cedents.

After this, the Committee turned its attention to the legality of the warrant on which the arrest had been made. It was

¹ The last case is Parry's. D'Ewes asserted that Parry, 'being a member of the House of Commons, was first delivered up by them to safe custody, and arraigned and condemned of High Treason.' In his own collection of the Journals of the Parliaments of Elizabeth, we find under Feb. 11, 1585; "Upon a motion made by Mr. Digges, that Dr. Parry, a late unworthy member of this House, and now prisoner in the Tower, . . . hath so misbehaved himself as deserveth his said imprisonment in the Tower." On this it was resolved 'that he be disabled to be any longer a member of this House.' Parry, in fact, was arrested, and the House was subsequently acquainted with the occurrence and expelled him. On Feb. 12 D'Ewes explained that Parry was expelled 'before any indictment of treason was preferred against him.'—*Harl. MSS.* clxii. fol. 384 b. This, however, is not to the point, as the question related to his arrest.

² *Rolls of Parl.* ii. 54.

resolved that the King could not himself issue a warrant. It must be issued by ministers who would be responsible for all that should be done. Then returning to the point which had been previously discussed, the Committee resolved that no member of the House could be arrested without the consent of the House. Whether this last resolution were justifiable by precedent or not, the former one was only a slight extension of a doctrine as old as that on which Charles relied when he declared that there could be no privilege of Parliament in case of treason. "A subject," it had been laid down by Chief Justice Markham, "may arrest for treason. The King cannot, for, if the arrest be illegal, the party has no remedy against the King."¹

After all, there is something unreal in these arguments on both sides from law and precedent. Law and precedent are serviceable as safeguards against the arrogance of force. They secure a fair trial to those who are accused of a definite crime acknowledged by general consent to be punishable if it has really been committed. There was no such general consent now. On one hand it was held to be treason to assail the authority of Parliament. On the other side it was held to be treason to assail the authority of the King. It was a question of sovereignty, and no judges, whether they sat in the House of Lords or in Westminster Hall, could be trusted to decide that.

Nor was that all. Behind the question of sovereignty rose a twofold conception of life—religious, ecclesiastical, and political—which divided Charles from the Commons by a gulf which it was impossible to bridge over. To each of the parties in the strife the other seemed bent on imposing its ideas upon the whole nation by force or fraud. For this the Parliamentary leaders had welcomed the intervention of the Scots, and the turbulent violence of the City mobs. For this Charles had intrigued with Irish Catholics and Scottish Protestants, with the English army and with

¹ D'Ewes's Diary, *Harl. MSS.* clxii. 308 b.

the agent of the Pope. Compromise was hardly possible now.

A compromise impossible.

Even the House of Lords had been unable to find a common ground of pacification. Yet, perhaps

in some measure because he was the weaker party, the intrigues of Charles had been far more dangerous than those of the leaders of the Commons. The tumults which they had encouraged were visible to the eye, and were calculated to arouse resistance from all peaceable and law-abiding men. A little patience, a little self-restraint, would have sufficed to banish

Dangers of the Commons.

them from the scene and enable Charles to triumph over disorder. The King's appeals were made to forces which were invisible, and the danger from which

was beyond calculation. The Commons knew that they had not merely to deal with the armed garrison of Whitehall. These men were but the officers of that force of 10,000 volunteers which Charles had engaged to raise for the Irish war. It is hard in these days to keep before our eyes the mass of ignorance and untaught brutality on which the society of the 17th century rested. It is useless to plead that that society was in no danger because the Hydes and Falklands wished for nothing but constitutional government. The real danger lay in the military organisation of that lower class which cared nothing for the Hydes and Falklands, and which was to be drilled and disciplined by swashbucklers like Lunsford. And behind this terror lay a worse. Indistinct as was the information possessed by the Commons, there were grave reasons to suspect that the King was ready to make use of the Irish insurgents against the English Parliament, and, as we now know, the suspicion was not wholly without foundation. The name of the Queen was still more freely used than that of her husband. Men spoke openly of the troubles in Ireland as the Queen's rebellion.¹ The belief was not likely to die out whilst courtiers were heard to say of the Irish that their 'grievances were great, their demands moderate,' and that they might 'stand the King in much stead.'²

¹ Salvetti's *News-Letter*, Jan. $\frac{7}{17}$.

² Slingsby to Pennington, Jan. 6, *S. P. Dom*

Men's minds were everywhere predisposed to panic. The guardian of the peace had become the aggressor, and hardly anything seemed unlikely or impossible. That night an alarm was raised, probably an echo of Digby's rejected proposal. The Lord Mayor was asked to call out the trained bands. On his refusal the trained bands dispensed with his authority. No less than 40,000 men turned out completely armed to defend their homes, and 100,000 more appeared with halberts, swords, and clubs. As soon as it was ascertained that they had been misled by false news, the Lord Mayor had little difficulty in sending them home to their beds. That night of panic gave evidence that Charles had not merely to face the riotous apprentices who had irritated him at Westminster. The tradesman's love of peace and order, which had manifested itself in his favour on his return from Scotland, had passed over to his opponents, as the House of Lords had passed over to his opponents a few days before.¹

The next day's Committee was held at Grocers' Hall. It was for some time occupied in hearing evidence on the conduct of the soldiers who had followed Charles to the House. After this an intimation was given to the five members that they should take their seats on the 10th, the day before the resumption of the sittings at Westminster.

Could the House again sit at Westminster in safety? Hitherto the King had shown no signs of flinching. On the

7th, a herald, standing in front of Whitehall, proclaimed all the six impeached persons as traitors.

Charles ordered the Lord Mayor to do the same in the City. Gurney could no longer do as he would. He replied that the proclamation was against law. An official who was sent on the hopeless task of effecting the arrest returned

without his prey, having been 'much abused by the worse sort of people.'² On the following day the

King gave a fierce reply to a City petition in favour of the

¹ D'Ewes's Diary, *Harl. MSS.* cxlii. fol. 309 b.

² Giustinian's despatch, Jan. $\frac{14}{24}$, *Ven. Transcripts*, R. O. Carteret to Pennington, Jan. 7, *S. P. Dom.*

members, and an Order in Council bade the Lord Mayor and Aldermen to secure the person who, on the night of the panic, had dared to call out the trained bands without authority.¹

In the face of this danger the Committee cut the knot of the long-agitated question of the guard. A resolution was passed declaring it to be legal to require the sheriffs to bring the force of the county for the security of Parliament. It was further resolved that, as there was no law in existence on the subject of the militia, the Lord Mayor, the Aldermen, and the Common Council ought 'on this pressing and extraordinary occasion' to appoint the officers and to raise men.²

The Committee demands a guard from the City

Jan. 9.
A Sunday in the City.

The next day was Sunday. It is easy to imagine the sermons that were preached, and the quiet, heartfelt joy at the great deliverance, not unmixed with proud satisfaction at the part played by the City in guarding the Commons of England from harm.

On Monday morning Philip Skippon, the Captain of the Artillery Garden, was appointed Sergeant-Major-General, to

Jan. 20.
Skippon appointed to command.

take the command of the City trained bands. A pious, practical soldier, who had risen from the ranks, he was the very man to command a Puritan force. "Come, my boys," he once said when battle was approaching, "my brave boys, let us pray heartily and fight heartily. I will run the same fortunes and hazards with you."³ He was now ordered to raise a guard for offence or defence. The request of the Commons' Committee, on which this authority was conferred, was at last backed by a similar request from a Committee of the Lords.⁴ All the constituted

Offer of the seamen and mariners.

authorities were now against Charles. The popular current ran in the same direction. The seamen and mariners of the Thames offered to join in the defence of the Houses, and their offer was gladly accepted.

¹ The King's answer, *Rushworth*, iv. 481. The Council to the Lord Mayor, Jan. 8, *S. P. Dom.*

² *Common Council Journal Book*, xi. fol. 14.

³ *Whitelocke*, 65.

⁴ *Common Council Journal Book*, xi. fol. 15.

As soon as these arrangements had been made, the five members entered the Committee and received a hearty welcome. Soon afterwards a deputation from the apprentices arrived to ask permission to join in the morrow's procession. The Committee, mindful of the alarm which might be caused by the re-appearance of these frolicsome lads upon the scene, gravely requested them to guard the City in the absence of their masters. Then came an announcement from Hampden, that some thousands of his constituents were on their way from Buckinghamshire with a petition. At first the Committee felt some anxiety at the approach of so numerous a body, but it was at last resolved to throw no opposition in their way. Finally an offer was accepted from the men of Southwark to guard their own side of the river.¹

By the time that these arrangements were completed Charles was no longer at Westminster. On the 9th he had become aware that it would be impossible to resist the return of the Commons. If there had been nothing else to influence him, the humiliation of remaining a defeated spectator of the triumph of his enemies would have been too great to bear. But he was more anxious for the Queen's safety than for his own dignity. He told Heenvliet, the Agent of the Prince of Orange, that he was sure that the Commons intended to take his wife from him. He at once despatched a messenger to Holland, no doubt to beg for material help from the Prince of Orange.² At the same time he wrote to Pennington, commanding him to send a ship to Portsmouth to await orders, and to obey no future directions which did not emanate from himself.³

The next morning Charles prepared to set out. Holland and Essex, together with Lady Carlisle, begged some who were in the King's confidence to plead for delay. No one would undertake the hopeless task. Heenvliet

¹ D'Ewes's Diary, *Harl. MSS.* clxii. fol. 313.

² Heenvliet to the Prince of Orange, Jan. ^{11, 14}/_{21, 24}, *Groen van Prinsterer*, zme sér. iii. 500, iv. 1. ³ Pennington to the King, Jan. 11, *S. P. Dom.*

was finally applied to. "Who would dare to do it?" was all the answer he could give.¹ There must have been an unaccustomed air of firmness in that irresolute face. At that moment Charles stood by his wife. He had done nothing to raise her to truer, broader views of the world in which they both lived, because he had no true and broad views of his own. He could not even carry out persistently her rash and petulant commands. But he could suffer with her tenderly and lovingly. Long afterwards, when she told how with a word of hers she had, as she believed, betrayed the secret of the design of surprising the five members, the memory of his self-restraint rose to her lips. "Never," she said, "did he treat me for a moment with less kindness than before it happened, though I had ruined him."²

In loving affection the Royal pair set out on their long exile. Charles was never to see Whitehall again, till he entered it as a prisoner to prepare for death. Henrietta Maria was after many years to return to the scene of her early happiness, a sad widow amidst a world which knew her not. Charles's troubles had commenced already. Essex and Holland refused to follow him, and told him that his proper place was with his Parliament. They expressed their readiness to surrender their offices. This was, however, refused, and Charles started without them. When Hampton Court was reached no preparations had been made for their reception. That night the King and Queen had to sleep in one room with their three eldest children.³

The next morning London was the scene of joyous commotion. At one o'clock the members of the House, with the five heroes of the day amongst them, took boat to return to Westminster. They were surrounded by a multitude of gaily dressed boats, firing volleys as they passed along. On the north side the City trained bands marched westward with resolute purpose. In the midst of

¹ Heenvliet to the Prince of Orange, Jan. $\frac{11}{21}$, *Groen van Prinsterer*, 2me sér. iii. 500.

² Madame de Motteville, *Memoirs*, ch. ix.

³ Berners to Hobart, Jan. 17, *Tanner MSS.* lxiii. fol. 242.

The King
prepares to
leave White-
hall.

The King
and Queen
set out.

Jan. 11.
The return
of Parlia-
ment.

them Mandeville was seated in a carriage. They bore aloft on their pikes a printed copy of that Protestation which, at the crisis of Strafford's fate, had rallied Englishmen to the cause of the Protestant religion and the liberty of the subject.¹

That day witnessed Pym's greatest triumph. He was now King Pym indeed. He was no longer the chief of a party, for he had the nation at his back. Both Houses ^{Pym's triumph.} of Parliament, now united, followed his bidding. Patiently and vigilantly he had stood upon the watch tower peering into the darkness to descry the fleeting and shapeless forms of anarchy and conspiracy. He had taught men to seek for the basis of law and order in Parliament rather than in the King. Yet for him, as for other men, the hour of triumph was but the hour of opportunity. Could he seize the moment as it passed, and make permanent that harmony which had so unexpectedly sprung up? Was this government by Parliament to acknowledge the limitations imposed on it by nature? Was it to be a means of imposing upon men the despotism of a majority, or was it to bow before the majesty of that true freedom which consists in the liberty of each individual man, to strive as seems best to himself after that ideal of duty which reveals itself in his soul? The Church question was still unsettled, and unhappily there was nothing in Pym to make it probable that he would solve it aright.

¹ Bere to Pennington, Jan. 13, *S. P. Dom.* Giustinian's despatch, Jan. ¹⁴/₂₄, *Ven. Transcripts*, R. O. Rushworth, iv. 484. Clarendon, iv. 199.

CHAPTER CIV.

THE STRUGGLE FOR THE MILITIA.

THE King's first act on the morning of his arrival at Hampton Court was a preparation for civil war, or, as he himself would have explained it, for the maintenance of his just authority against rebellion. It is probable that in his orders to Pennington on the day before with regard to Portsmouth, he had in view something more than the Queen's embarkation, and that he was already enabled to expect that Goring would place that fortress in his hands whenever he thought it desirable. He now turned his thoughts upon a place still more important than Portsmouth. At Hull were still stored up the munitions which had been provided for the Scottish war, and the fort was also conveniently situated for the reception of those Danish troops of which he had wished to make use against the Scots, and of which he was now thinking of making use against his own subjects. He accordingly appointed the Earl of Newcastle to be Governor of Hull, and gave instructions to Captain Legg, the officer who in the summer had carried to the army the petition marked by the King's initials,¹ to hasten to the North to secure the submission of the citizens to their new governor. Special instructions were given to Nicholas to keep these orders a profound secret, and to forbear entering them in the signet office, according to the usual official course.² There can be no reasonable doubt that if the

1642
Jan. 11.
The King's
plans for the
occupation
of Hull.

Newcastle
to be
Governor of
Hull.

¹ Vol. IX. p. 398.

² The King to Nicholas, Jan. 11. Legg to Nicholas, Jan. 14, *S. P. Dom.*

news of Legg's success had reached Charles, Digby would have started for Holland¹ and Denmark to secure assistance, and especially to hire Danish soldiers to land at Hull.² Charles, however, could not count on secrecy amongst his most intimate followers. The King's plans were no doubt betrayed to Pym even before they were put in execution. Orders were therefore given by Parliament to Sir John Hotham to secure Hull by means of the Yorkshire trained bands, and not to deliver it up till he was ordered to do so by 'the King's authority, signified unto him by the Lords and Commons now assembled in Parliament.' In a few minutes Hotham's son, who was himself a member of Parliament, was speeding down the North road, even before Legg had started on his errand.³

Hotham
ordered by
the Houses
to occupy
Hull.

In the face of such danger there was no lack of unanimity

¹ We learn from La Ferté's despatch of Jan. $\frac{6}{16}$ that Heenvliet was negotiating for Charles's mediation to bring about a truce between Spain and the States, and that there was to be money paid by the Prince of Orange. La Ferté warned the Parliamentary leaders of this, so that they knew that Charles was seeking aid abroad.

² Digby's proceedings will be related in their proper place. As, however, he did not go to Denmark, and all that has been hitherto known on the subject has been drawn from the suspicions of the Parliamentarians, it is as well to quote here the following extract: "Le Roy ne voyan espérance d'autre secours, despechoit le mylord Digby au Roy de Dennemarque, pour en avoir de luy, et en intention d'assurer la descente des Danois le Roy donnoit ordre au Comte de Newcastle de s'en aller à Hul, port de mer vers Dennemarque :"—Forster to Chavigny, Feb. $\frac{3}{13}$ *Arch. des Aff. Étr.* xlix. fol. 27. Forster was a Catholic, and gave reports to the French Government of news from England. If, as I believe, that news reached him from persons about the Queen's Court, his intelligence would be decisive on such a point.

³ That Hotham started first may be gathered from Giustinian's statement that the command was given to Newcastle on account of the King's knowledge of the order to Hotham, and from the fact known from a letter from the Mayor of Hull (*L. J.* iv. 526) that Hotham arrived before Legg; but, as Forster's evidence points to a substantive plan for the occupation of Hull by the King, I think it may be gathered that Hotham was sent off on account of intelligence received at Westminster of the King's intention.

between the two Houses. Both Lords and Commons concurred in accepting a guard of the City trained bands under Skippon's command, rather than a guard of the same trained bands selected by the Lord Mayor, and placed under the orders of the Earl of Lindsey, as the King now proposed. Both Lords and Commons concurred in passing rapidly through all its stages a Bill enabling Parliament to adjourn itself to any place it would ; in other words, enabling it to sit at Guildhall instead of sitting at Westminster. On one point alone did the Lords show any scruples. They objected to join in addressing to the King a demand that Conyers might supersede Byron as Lieutenant of the Tower. They were ready to join in all necessary measures of defence, but they were not inclined to wrest from the King that executive authority which the Commons thought could no longer safely be left in his hands.

Already evidence had been given that Pym could count on support elsewhere than in the City. Four or five thousand gentlemen and freeholders of Buckinghamshire had ridden up with petitions to the Houses which were but the echo of the Grand Remonstrance. Hampden's constituents declared that they were ready to live and die in defence of the privileges of Parliament.¹

Each hour as it passed brought news of thickening dangers. On the morning of the 12th it was known that Lunsford and his Cavaliers had been gathering at Kingston, and that Digby had come over from Hampton Court to concert measures with them. As the magazine of the county of Surrey was at Kingston, the obvious interpretation of the proceeding was that the Cavaliers intended to seize the store of arms, and to gather a force which would enable the King to betake himself to Portsmouth. The Commons proposed to parry the danger by ordering the sheriffs of the neighbouring counties to call out the trained bands for the suppression of such assemblies, as contrary to law. At the same time, the Peers summoned Byron before them to give

Unanimity
of the
Houses.

The Buck-
inghamshire
petition.

Jan. 12
Digby and
Lunsford at
Kingston.

¹ C. 7. ii. 369. L. 7. iv. 504.

account of the recent attempt to strengthen the garrison of the Tower. Byron, however, refused to leave the fortress without an order from the King. Various rumours of plots to murder the popular lords were also afloat, and received more attention than would have been accorded them in quieter times.¹

The tidings of the next day did much to carry conviction to all that a struggle was imminent. Charles had removed to Windsor. He had taken time to consider the Bill allowing Parliament to adjourn itself, and had announced that, as the legality of his impeachment of the accused members had been disputed, he would now abandon it, and 'all doubts by this means being settled,' he would proceed against them 'in an unquestionable way.' The announcement that the prosecution was not to be abandoned caused the greatest irritation. Fresh news came in of Lunsford's armed men and their supposed design upon Portsmouth. What had happened at Hull no one could yet tell. Already that morning the Lords had pointed to the necessity of doing more than call out the trained bands of the counties round Kingston and Windsor. They thought that the order should 'be made general for all England.' The first proposal of a new Militia Bill had thus come from the Peers.² The Commons were not slow to take the hint. They drew up a declaration, to be sent to all the counties, inviting them 'to put themselves in a position of defence'—in other words, to call out the trained bands for their own security.

The declaration in which this invitation was contained threw the blame of all that had occurred on 'the Papists.' There was, it was firmly believed, a vast Catholic conspiracy,

¹ C. ƒ. ii. 372. L. ƒ. iv. 507.

² L. ƒ. iv. 510. C. ƒ. ii. 375. Heenvliet to the Prince of Orange, June ²⁴/₂₄, *Groen van Prinsterer*, sér. 2, iv. 1. This Militia Bill must not be confounded with the one which had been brought in before Christmas to appoint a general with arbitrary powers, and which was probably only intended to frighten the Lords into passing the Impressment Bill.

threatening dangers of which the outbreak in Ireland was but the premonitory symptom, and of which the attack on the members was the commencement in England. Not only had Parliament been defied and its privileges broken, but agreements had been made with foreign princes for the introduction of foreign troops into the country, and arms had been collected with a view to a rising at home. Therefore it was necessary that the country should stand on its guard. Magistrates must see that the county magazines were well furnished. Strong watches were to be placed to prevent surprise, and no soldiers were to be levied, or arms and ammunition collected, 'nor any castles, forts, or magazines delivered up without his Majesty's authority, signified by both Houses of Parliament.'

In the policy of this declaration the Lords concurred entirely. With the consent of the Lower House they issued a general order to the sheriffs, enjoining upon them the duty of suppressing unlawful assemblies and securing the magazines, though they prudently objected to irritate the King needlessly by the narrative of his past misconduct.¹ Afterwards, upon hearing that the King had taken the Prince out of the hands of his governor, the Marquis of Hertford, they directed Hertford to resume his charge, and requested the King not to permit the Prince to be taken out of the kingdom.²

It was impossible to disconnect the removal of the Prince with the evident desire of the Court to secure Portsmouth. A gentleman from Windsor informed the Commons that a waggon laden with ammunition had gone down to Windsor, and that another waggon similarly laden had started from Windsor to Farnham. In Windsor there were about 400 horse and 40 officers. A messenger had been despatched to Portsmouth.³ It was doubtless known in London that the King had carried with him those magnificent crown jewels on which Buckingham had once attempted to raise money in Holland, and that

The declaration of the Commons for the defence of the country.

Jan. 14.
The Lords concur in the policy of the declaration, but object to its form.

The Prince not to leave the kingdom.

The King aims at Portsmouth.

The Crown jewels with the King.

¹ C. J. ii. 377.

² L. J. iv. 512-514.

³ C. J. ii. 379.

if a seaport could be secured he would not be without the means of tempting foreign mercenaries to his help.¹

Up to that morning hopes of an accommodation may possibly still have been entertained. Pym, at least, can hardly now have expected it any more. He declared that the King must be plainly told that these armed gatherings were against the law. In the Commons it was freely said that it would be necessary to inquire who had advised him to impeach the members. A committee was appointed to place the kingdom in a posture of defence more thoroughly than by the action of the individual sheriffs. The command of the militia was ultimately in the Lords-Lieutenants, and the Lords-Lieutenants had been appointed by the King. On the 15th the Committee recommended that the members for each county, and for the boroughs contained in it, should nominate a person to be appointed as its Lord-Lieutenant in the room of the King's nominee. On the same day the peers were again asked to join in requesting that Conyers might be substituted for Byron at the Tower.²

Jan. 15.
The Commons recommend that the Lords-Lieutenants shall be appointed by Parliament.

The Lords were not ready to wrest the whole executive authority from Charles's hands. Before long it was known that the King had asked Heenvliet to attempt to bring about an accommodation. On the 17th Heenvliet was at Windsor, and on the following morning he had an interview with Charles. Charles showed no appreciation of his real position. He chatted about Holland's ingratitude, and said that the Bishops' Exclusion Bill had been introduced in order to diminish the Royal power. Heenvliet, apparently weary of this babble, asked what

Jan. 17.
Mediation of Heenvliet.

Jan. 18.
His interview with Charles;

¹ The connection between the Prince's removal and the intention of going to Portsmouth is clearly put in the following: "Hora stimano alcuni che in questo tempo il Rè possa esser vicino a Posmur, havendo condotto seco la Regina, il Principe e la Principessa, et anco portato le gioie."—Rossetti to Barberini, *Jan. 30*
Feb. 9, *R. O. Transcripts*.

² *C. J.* ii. 379, 380. Heenvliet to the Prince of Orange, Jan. *14*
24, *Groen van Prinsterer*, sér. 2, iv. 1.

message he was to carry to the gentlemen at Westminster. Tell them, said the King, that you find me hard to satisfy, and then they will be anxious to secure your help. At any rate Heenvliet was to keep the negotiation on foot till he heard from the Prince of Orange, who, as Charles hardly doubted, would be ready to intervene on his behalf.

Heenvliet was then taken to the Queen. Henrietta Maria at once broke out into complaints against the Commons for ^{and with} their accusations against her, and protested that she ^{the Queen.} had never given evil counsels to the King, and that she detested the Irish rebellion. The King, she said, would be well content if he could enjoy his revenue as he had had it before these troubles, and if his Parliament met every three years instead of remaining in perpetual session. At present, he was worse off than a Venetian Doge. He would remain at Windsor for two days. If he had not then received satisfaction, he would go to Portsmouth. She and the Princess would remain there in safe custody, whilst the King and the Prince betook themselves to Yorkshire. Heenvliet here suggested that there might be danger in such a course. No, she said, the King's name is revered everywhere except in London. In Scotland and Yorkshire it is especially respected. Newcastle had already occupied Hull in his name. There was a larger quantity of munitions there than in the Tower itself. As to the Tower, Byron had been ordered to blow it up rather than surrender it. The King would publish a manifesto avowing his desire for peace, and forbidding the trained bands to obey any one but himself. Parliament had no right to meddle with them. If they refused obedience, all their property would be forfeited by law. The Prince of Orange must not allow the King to perish. "If we go to Portsmouth," she ended by saying, "I hope you will soon come there with good news."¹

Before long both Charles and his wife discovered that they had been deceiving themselves with false hopes. The Cavaliers at Kingston were dispersed by the county trained bands. Not a soul in the North or in Wales was disposed to stir in

¹ Heenvliet to the Prince of Orange, *Groen van Prinsterer*, sér. 2, iv. 2.

Charles's favour. Newcastle and Legg had failed utterly in their attempt on Hull. The Mayor had refused to admit any troops into the town, whether under Newcastle or Hotham. The King had now but 200 men with him.

Charles's
hopes prove
vain.

It was therefore necessary to abate something of his high pretensions.¹ On the 20th, abandoning his design on Portsmouth, he despatched to Westminster a more conciliatory message than any which he had penned since his return from Scotland. In this he asked the Houses to place upon paper all that they judged necessary on the one hand for the maintenance of his authority and the settlement of his revenue, and on the other hand for the establishment of their own privileges, the security of 'the true religion now professed in the Church of England, and the settling of the ceremonies in such a manner as may take away all just offence.' When all this had been digested 'into one entire body,' he would show how well disposed towards Parliament he was.

Jan. 20.
He sends a
conciliatory
message.

A month before, such a message would doubtless have been received with rapturous applause. Even now there were some

who had hitherto opposed the King who were inclined to see in it an augury of better things. No doubt it pointed to such a settlement of the Church as would have been in accordance rather with the views of Bristol than with the views of Pym. No doubt, too, the urgent question was not how the Church could be settled, but whether Charles could be trusted. Yet it was inevitable that those who wished to see the Church settled in Charles's way should be inclined to trust him, and that those who wished to see it settled in another way should be inclined to distrust him. There were certainly grounds enough for distrust. The message offered no security against an appeal to force, if force were at hand. Both Houses therefore agreed in

Its reception.

sending for Newcastle to give an account of his conduct at Hull. The Lords, however, wished to return a simple reply of thanks to the King's message; whilst the Commons, who had the day before ordered the circulation of the Protestation throughout the kingdom for

The Commons demand the fortresses and the militia.

¹ Giustinian to the Doge, Jan. $\frac{21}{31}$, *Ven. Transcripts, R. O.*

signature, as a token of the public disapprobation of the attempt on the members,¹ now asked that the fortresses and the militia might be placed in the hands of persons in whom Parliament could confide. On the 24th the Lords refused to join them. The Lords refused to join in this request; though the number of protests, which usually stood at 22 or 23, was on this occasion swollen to 32.

The next day Pym laid before the Lords petitions from London, Middlesex, Hertfordshire, and Essex, in support of his policy. The voice of the petitioners, he said, was the voice of England. He adjured the Peers to remove the obstructions to a peaceable settlement which still existed. The Commons would be glad of their help, and would be sorry 'that the story of this present Parliament should tell posterity that in so great a danger and extremity the House of Commons should be enforced to save the kingdom alone, and that the House of Peers should have no part in the honour of the preservation of it.'

When Pym's proposal was discussed in the House of Lords, Lennox rose to a motion for adjournment. "Let us put the question," he said hastily, "whether we shall adjourn for six months." The Peers felt that Digby's motion that Parliament was no longer free had come back to them in another form. To leave the House of Commons alone in session would be a direct admission that no constitutional remedies were any longer possible. Lennox was therefore compelled to acknowledge that he had given offence. Twenty-two lords of the Opposition protested against the mildness of the penalty. The Commons took the matter up warmly, and asked the Lords to join in petitioning the King to remove Lennox from his office at Court. The Lords refused to censure Lennox more heavily than they had already done.²

Irritation on both sides was the natural result of the abnormal situation. There was absolutely no Government in England. The King was projecting the restoration of his

¹ C. 7. ii. 353.

² L. 7. iv. 543. French News-Letter, Feb. $\frac{3}{13}$, *Arch. des Aff. Étr.* xlix. fol. 24.

authority by reliance on anything except the loyalty of the English nation. A Government acting in accordance with Parliament would soon have dispersed the panic fears which exaggerated even the great danger which in reality existed ; and the demand that the military forces of the realm should be commanded by persons in whom Parliament could confide, was the first step to the establishment of such a Government. It is useless to say that the Commons could afford to wait. The nation, at least, could not afford to wait. Men could not trade with security when they might expect at any moment to hear that foreign soldiers had landed, or that Irish rebels had been imported to wage war in England ; whilst the whole military organisation of the country was thrown out of gear, because the King wished it to be employed for other objects than for the public safety.

Though reason was on the side of the Commons, it was not unnatural that the Lords should take the opposite view. Tradition and precedent were on the King's side. Many of the Peers feared the sweep of a democratic tide. The Commons, still in name the Lower House, were speaking as if they were the undoubted masters of the Lords, and were already treating their House as a mere appendage to a greater and more powerful assembly. In the wake of distasteful social and political changes loomed religious changes equally distasteful. Yet the Lords hardly knew what to do. They distrusted the Commons, but as yet they distrusted Charles as well.

On the refusal of the Lords to join in asking for the fortresses and the militia, the Commons had independently presented their request to the King. Charles had returned an evasive answer, and on the 31st the House voted the evasion to be equivalent to a denial,¹ and also drew up an ordinance conferring power in each county upon persons to be afterwards named to train the inhabitants for war, to name deputy-lieutenants

Difficulty of
the situa-
tion.

Reasons for
the Lords'
resistance.

Jan. 25.
The Com-
mons' peti-
tion.

Jan. 31.
The militia
ordinance.

¹ C. J. ii. 395, 405.

with the approbation of Parliament, and to appoint officers, as well as to suppress 'all rebellions, insurrections, and invasions,' according to directions from the King signified by Parliament.

Something indeed had been already done to carry into action the terms of the ordinance. The younger Hotham had made himself master of Hull in the name of the Parliament. Skippon and the City trained bands were blockading the Tower, and Byron acknowledged that it was not capable of offering a long resistance.

A position so strained could not last long. In the City the burden fell heavily on the poor. On the 31st a petition was presented to the Commons by the artificers of London and Westminster. It was immediately sent up to the Lords. The poor men, said Holles, who carried it up, had declared that they wanted bread. "The House of Commons said that they are not in fault, but have done what they could to take away the causes of these distempers; therefore they protest, for their own safeties, lest they should be involved, that they are not guilty of these mischiefs."¹

When the Houses met the next morning an unusual sight presented itself to their eyes. Palace Yard was thronged by a crowd of women. "We had rather bring our children," they said, "and leave them at the Lords' door, than have them starve at home." The crowds of petitioners who had been appearing during the last few days at Westminster were not without effect on the House of Lords.

The most persistent Royalists saw in them an organised renewal of those scenes which had preceded the death of Strafford.² Others may have been convinced of the gravity of the situation, and may have been disappointed at the King's letter, as containing no serious guarantees.³ On Feb-

¹ *L. J.* iv. 559.

² Giustinian's despatch, Feb. $\frac{4}{14}$, *Vcn. Transcripts*, R. O. Salvetti's *News-Letter*, Feb. $\frac{4}{14}$.

³ For the view that Charles, in his anxiety to save the Queen from the

ruary 1 the Lords voted that they would join the Commons in asking the King either to set forth distinctly his charges against the accused members, or to abandon the prosecution. Later in the day they passed a far more serious vote. They agreed to

join in a petition to the King, asking him to entrust the fortresses and the militia to persons in whom Parliament could confide.¹

They join
the Com-
mons about
the accused
members,
and about
the militia.

The Lords no doubt felt their isolation. Instead of placing himself at their head, the King had done nothing to show repentance for his past faults. All round them

was a population surging with impatience. On the 4th came a long petition from the women about Popery and idolatry, and another long petition from Surrey, crying out for a speedy settlement. The

Feb. 4.
The women's
petition.

next day the Lords passed the Bishops' Exclusion Bill, which they had steadfastly resisted in the autumn.²

Feb. 5.
The Bishops'
Exclusion
Bill passes
the Lords.

Once more Charles found that his hope of support from the Lords had failed him. Nor was this the whole extent of his disappointment. Hardly had he received the message

which told him that both Houses were of one mind on the militia, when Heenvliet brought tidings that the Prince of Orange refused to mediate in his favour, and counselled him above all things to keep clear of war. "It is hard," said Charles, "but I will think of it,

Feb. 4.
The Prince
of Orange
will not help
Charles.

danger which he apprehended, may have passed the word to his partisans to withdraw for a time from active opposition, see a pamphlet by Dr. A. Buff, *Die Politik Karls des Ersten*, in which Clarendon's misrepresentations are admirably dissected. I rather suspect, however, that, as at the time of Strafford's trial, there was a middle party which had been voting with the Royalists. Its defection now would make resistance to the Commons hopeless.

¹ *L. J.* iv. 556, 558. Dover, in his notes (*Clarendon MSS.* i, 603) says that 'that very night, many of our Lords being absent, it was carried for to join.' This may be true, but, as another vote on the same subject was taken the next day, it is evidently not the whole truth.

² *L. J.* iv. 564. Heenvliet says the third reading was carried by 36 to 23, which shows the untruth of Clarendon's statement that it passed by the abstention of its opponents.

and see you again in the evening." The Queen added that she was resolved to leave the kingdom, and that she would go to Holland, to deliver over her daughter to her youthful bridegroom. "Either the King," she added, "will agree with his Parliament or not. If he does, I will soon return. If not, I had rather be in Holland than here." The agreement, she explained, must be honourable to the King. In Scotland and Yorkshire the whole population was on his side. He would try his best to come to an understanding with his Parliament. If things turned out badly he would go into the North, and she would therefore only be in his way in England.

Reflection brought more strongly before Charles the necessity of at least the appearance of concession. On the 6th he
 Feb. 6. replied to the message on the militia. He wished to
 The King's know what authority was to be given to the new
 answer on commanders, and for how long a time it was to be
 the militia. exercised. When he was satisfied on these points, he was
 ready to entrust the forts and the militia to the persons named
 by Parliament, reserving to himself the right of excepting to
 unfit persons so named. As to the accused members he would
 drop all proceedings against them.

At last, if only Charles were in earnest, a reasonable basis
 Feb. 7. of settlement was found. The next day he had a
 long conversation with Heenvliet.

"How am I to take away the bishops," he said, "having
 sworn at my coronation to maintain them in their privileges
 and pre-eminences? At the beginning I was told
 The King's that all would go well if I would allow the execution
 vexation at of the Lord-Lieutenant of Ireland; then it was, if I
 the Bishops' would grant a triennial Parliament; then it was, if I
 Exclusion would allow the present Parliament to remain sitting as long as
 Bill. it wished; now it is, if I will place the ports, the Tower, and
 the militia in their hands; and scarcely has that request been
 presented, when they ask me to remove the bishops. You see
 how far their intentions go. Nevertheless, to content them
 and my people, I have answered that I will name persons
 whom they approve of to command, but that they must tell
 me for how long a time this arrangement is to last, so that

I may not stipe myself entirely." Later in the day Charles explained his plans more clearly. As soon as the Queen was gone, he said, he should go into Yorkshire, not with the intention of taking arms, but in order to see what the Houses would do. He did not doubt that they would be more supple than he. He hoped that if they attacked him, the Prince of Orange and the States would not suffer him to perish.¹

What could be expected from a man so unhappily constituted? He could neither frankly yield nor firmly refuse. Even if it were strictly true that he had given way to content his people, he believed himself to have been grievously wronged, and he hoped that when he spoke from the midst of the sympathising Yorkshiremen he would be able to compel Parliament to grant him better terms.

On one point, indeed, Charles of necessity yielded. On the 11th he announced that he would transfer to Conyers the

Feb. 11.
Conyers in
charge of
the Tower.

Lieutenancy of the Tower now that Byron was no longer able to defend it.² In the meantime the Commons had drawn up a list of persons whom

Feb. 12.
Lords-Lieutenants
named by
Parliament.

they recommended as Lords-Lieutenants. On the 12th this list was accepted by the Lords, to be presented to the King. The Houses agreed that the authority of the new officials should continue till Parliament

determined otherwise.

On the 13th the King and Queen were at Canterbury on their way to Dover, the port chosen for the Queen's embarkation.

Feb. 13.
The King
accepts the
Bishops'
Exclusion
Bill.

The question whether the Royal assent should be given to the Bishops' Exclusion Bill had been the subject of much contestation. Culpepper had argued in vain that it would be prudent to allow it to become law. The Queen was more successful.³ To her it was

a matter of indifference whether a few heretics, calling themselves Bishops, sat in the House of Lords or not. The one thing of importance was, that her husband should retain his hold on the sword. As soon as she had sailed, his movements

¹ *L. J.* iv. 566. Henvliet to the Prince of Orange, Feb. $\frac{4}{14}, \frac{8}{18}$, *Groen van Prinsterer*, 2me sér., iv. 16, 17.

² *L. J.* iv. 577.

³ *Clarendon's Life*, ii. 18.

would be free. When he was once in Yorkshire he would easily find his way into Hull, and at Hull he would be in a position to receive supplies from the Continent. Charles yielded to his stronger partner. Never, he fondly promised her, would he surrender his command of the militia.¹

In this temper he addressed himself to the demands of Parliament. It is needless to inquire whether, in some abstract

constitutional system formed without reference to any particular circumstances of time and place, the presence of bishops in Parliament is desirable or not.

They had gained their place there when they had been the depositaries of the moral and intellectual force of the nation.

In 1642 they were no more than an excrescence on political and religious life. They had made themselves the servants of the King, and apart from him they had no inherent strength by which they could stand. Few spoke in their defence, and most of those who did defended them not for their own sake, but for the sake of institutions which would fall more easily when they were gone from the political world. At his wife's bidding Charles consented to the Bill, which, by reducing them to their spiritual functions, gave them a fresh chance of regaining the goodwill and admiration of their fellow-countrymen. At the same time he passed the Bill for

pressing soldiers for Ireland, with the clause forbidding him to compel men to go out of their counties without permission from the Houses. He also offered to put in execution the laws against the recusants,

and bound himself to grant no pardons in future to the Catholics without consent of Parliament, on condition that the seven priests who had been condemned in December might have their sentence commuted to banishment.

He would also refer to Parliament all questions relating to the Church and the Liturgy, though he required that its recommendations should be submitted to him as a whole after the subject had been thoroughly discussed. He would leave nothing undone for the relief of Ireland, and, if Parliament saw

¹ See *Letters of Henrietta Maria*, published by Mrs. Everett Green.

fit, he would venture his person in the war. Finally he wished the Houses to examine into the causes of the decay of trade.¹

No wonder that, coupled with the former offer about the militia, this message drew forth warm expressions of thanks from both Houses. If only Charles could be trusted, everything might yet go well. Unluckily, that very afternoon, after the impeachment of the Attorney-General for his conduct in relation to the accused members had been laid before the Lords, Pym brought up a packet of letters written by Digby from Middelburg, whither he had fled. One of them was addressed to the Queen, and in such a crisis it was resolved to break the seal. The contents were ominous of danger. "The humblest and most faithful servant you have in the world," wrote Digby, "is here at Middelburg, where I shall remain in the privatest way I can, till I receive instruction how to serve the King and your Majesty in these parts, if the King betake himself to a safe place where he may avow and protect his servants from rage and violence; but if, after all he hath done of late, he shall betake himself to the easiest and compliantest ways of accommodation, I am confident that then I shall serve him more by my absence than by all my industry."²

Digby's letter received an appropriate comment by the reading of the warrant by which the King had empowered Newcastle to take military possession of Hull.³ How was it possible to doubt that strong influence was being brought to bear upon the King to induce him to set Parliament at defiance? Even the most sanguine must have suspected that till the militia was actually in safe hands there could be no security for the State. On the 15th the arrangements previously made for the command of the militia were embodied in an ordinance, and that ordinance was sent in the name of both Houses to the King. On the 22nd Digby was impeached of high treason.⁴

Feb. 14.
Thanks
from the
Houses.
Impeach-
ment of the
Attorney-
General.

Digby's
intercepted
letter.

The King's
warrant to
Newcastle.

Feb. 15.
The militia
ordinance.

Feb. 22.
Digby
impeached.

¹ L. J. iv. 580.

² L. J. iv. 585.

³ L. J. iv. 582. *Rushworth*, iv. 554.

⁴ L. J. iv. 587, 602.

To the messengers who brought him the militia ordinance Charles refused to give an immediate answer. He had plainly made up his mind to say nothing till the Queen was in safety.

Feb. 23.
The Queen
sets sail. On the 23rd she was under sail, carrying with her her daughter and the Crown jewels, full of hope and courage, and half believing that she had inspired her husband with something of her own resolution. After a tender farewell, Charles galloped along the cliffs in the direction in which the vessel was sailing, keeping his eyes fixed upon it to the last.¹

Feb. 26.
Charles at
Greenwich. On the 26th the King was at Greenwich. He sent for the Prince of Wales, and, in spite of the remonstrances of Parliament, he kept the lad with him. He was now buoyed up with a fresh hope as unsubstantial as were the many others which had melted away in his hands. The militia ordinance had given rise to some dissatisfaction in the City as overriding the municipal authority of the Lord Mayor,² and there had been a movement amongst the citizens to resist it, of which George Benyon, a wealthy merchant, was the leading spirit. Charles had therefore drawn up a sharp answer to the message with which the Houses accompanied

¹ Madame de Motteville's *Mémoires*, ch. ix. Giustinian to the Doge, March $\frac{4}{14}$, *Ven. Transcripts, R. O.* The Queen's mingled feelings may be gathered from the following extract from a letter written after her arrival at the Hague: "Il falloit que le Roy et moy fisions toute nos affaires tout seuls, qui ne sont pas petites; et à la fin la violence du Parlement a esté sy grande contre moy que pour estre en seureté de ma vie, il m'a falu en aler; car après qu'ils ont jeté plusieurs imputations contre moy et m'accuser de avoir voulu changer le gouvernement de l'Estat et de la religion et que c'estoit moy qui encourageoit les Irlandois à une rebellion, ils ont dit publiquement que une Roynie n'estoit que subjecte et que elle pouvoit estre puniee comme une autre. Ce n'est pas toutesfois la peur de la mort qui m'aye fait en aler, mais d'une prisone, en me separant du Roy monsr. que j'avoue m'ut esté plus insupportable que la mort, car cela orait ruiné toute nos affaires, et, estant en liberté, j'espère que je seray encore en estat de le servir"—The Queen to the Duchess of Savoy, $\frac{\text{March } 25}{\text{April } 4}$, *Lettres de Henriette-Marie* —, à sa sœur, publiées par Hermann Ferrero.

² Giustinian to the Doge, $\frac{\text{Feb. } 25}{\text{March } 7}$, *Ven. Transcripts, R. O.*

their ordinance, though he allowed himself to be persuaded by Hyde to hold it back for further consideration. On the 27th he had a long interview with Hyde. Hyde, it was arranged, was to remain at Westminster, to watch the proceedings of Parliament, and to send notice to the King of all that it was desirable for him to know. He was also to accompany every message which left the Houses for the King with a secret despatch containing the answer which he judged most fitting to be given. Charles was to copy the proposed answer with his own hand, and to address it to Parliament as if it were his own.¹

Feb. 27.
He accepts
Hyde as his
secret
counsellor.

Charles's acceptance of Hyde as his unofficial adviser marks a new departure in the constitutional system of the English monarchy. Hyde's great achievement was to throw over the doctrine which Strafford had inherited from the Tudors, which taught that there was a prerogative above the law, capable of developing out of itself special and transcendent powers to meet each emergency as it arose, whether Parliament approved or not. The King, according to Hyde, was to work in combination with his Parliament; but he was not to allow the House of Commons to force its will upon the House of Lords, still less was he to allow both Houses combined to compel him to give the Royal assent to Bills of which his conscience disapproved. That such a conception of the constitution could under any circumstances have been permanently adopted is absolutely impossible. It did not even attempt to solve the question of sovereignty, which Strafford had been prepared to solve in one way, and which Pym was now prepared to solve in another. It was the idea of an essentially mediocre statesman. It was based on negations, and provided so elaborately that nothing obnoxious should be done, that there was no room left for doing anything at all. Strafford and Pym were men of real, if limited, insight. Hyde removed no difficulties; he awoke no enthusiasm; he welded together no divergent elements.

Hyde's constitutional views.

Their permanent weakness,

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Yet, with all this, Hyde had at least a marvellous temporary

¹ *Clarendon's Life*, ii. 24.

success. He gave the King a party, and that party, though defeated in the field and doomed to many years of proscription, rose again to embrace almost the whole nation for a time. The explanation of this success is not hard to find. Hyde's policy of negation was welcome to those who were indisposed to change, and in 1642 nearly half the nation, and in 1660 nearly the whole of the nation, was indisposed to change. All who feared the intolerant rule of Puritanism or the interference of shopkeepers and artisans in the affairs of government welcomed a theory which acknowledged the right of the King to stop a legislation which was not very likely to take the course of which they approved. Other causes, no doubt, combined with this pure conservatism. Hyde had on his side the traditional reverence for the King, combined with the more honourable reverence for the law, and it was tempting to dispense with the toilsome labour of investigating what the law ought to be in favour of the far easier task of accepting whatever existed as the perpetual rule of life.

Undoubtedly Hyde's connection with Charles brought the Civil War nearer than it was before. He could gain for him a party. He could not gain for him a nation. If he could not quite separate him from his old belief in his prerogative as something personally inherent in himself, or from those insane appeals to forces which never proved to be really on his side, he could at least render such attempts more infrequent, and could cover them, when they occurred, with the decent veil of constitutional argument. Men seemed to be listening to the voice of the law itself when they were only carried away by the sonorous eloquence of a pleader.

Even now, indeed, Charles had something very different in view from the formation of a constitutional party. He had promised the Queen that he would listen to no terms of accommodation which did not imply the submission of the Parliamentary leaders. With the Prince in his hands, he would go to the North and throw himself upon the known loyalty of his people there. Hull was to be seized, or, if the attempt failed, Newcastle or Berwick should be occupied

to keep open his communications with the Continent. Charles had still hope of assistance from Scotland. With these projects in hand, the negotiation with Parliament became but a secondary object. "I will not differ from you," he said to Hyde's proposal that his reply should take a less offensive form, "for now I have gotten Charles, I care not what answer I send them."¹

That answer stated that, though Charles was ready to place the militia in the hands of the persons nominated, they must receive their commissions from himself, and those commissions must determine whenever he saw fit.²

Feb. 28. The King's answer voted a denial. As this arrangement gave no security against himself, the Houses voted that the answer was equivalent to a denial of their request. Charles's movements were even a greater reason for alarm than his words. Parliament begged him to remain in the neighbourhood of Westminster. If he did not, it must needs be a cause of great danger and distraction.³ "For my residence near you," he replied, "I wish it might be so safe and honourable that I had no cause to absent myself from Whitehall; ask yourselves whether I have not."⁴ It did not follow that, because he was uneasy at Westminster, it was necessary for him to go to York. Yet, on the day after the reply was given, he started on his ill-starred journey for the North.

March 2. Charles's reply.

The Commons felt that there was but one course to pursue. They voted that the kingdom should be 'put in a posture of defence by authority of both Houses,' and this resolution was at once accepted by the Lords.⁵ By the 5th an ordinance had passed formally appointing the new Parliamentary Lords-Lieutenants, and conveying to them authority to command the militia 'for the suppression of all rebellions, insurrections, and invasions.'⁶ In sheer self defence, as they deemed it, the Houses had seized upon the sword

The kingdom to be put in a posture of defence.

March 5.

¹ *Letters of Henrietta Maria*, 52-65; Clarendon, *Life*, ii. 27.

² *An Exact Collection*, 90.

³ *Ibid.* 92.

⁴ The King's Answer, March 2, *L. J.* iv. 641.

⁵ *C. J.* ii. 464. *L. J.* iv. 622.

⁶ *L. J.* iv. 625, 628.

On the 9th the King was at Newmarket. A Parliamentary deputation waited on him to present a declaration of their fears and jealousies, pointing out the many surprises to which they had been subjected from the first Army plot to the attempt on the members. Charles could not understand that they could have any reasonable suspicions at all. "That's false!" "That's a lie!" were the expressions which burst from him as the declaration was being read. The

March 9.
Declaration
of fear, and
jealousies.

next day he returned his answer. "What would you have?" he cried. "Have I violated your laws? Have I denied to pass one Bill for the ease and security of my subjects? I do not ask you what you have done for me. God so deal with me and mine, as all my thoughts and intentions are upright for the maintenance of the true Protestant profession, and for the observation and preservation of the laws of this land; and I hope God will bless and assist those laws for my preservation." In vain Pembroke begged Charles to come nearer his Parliament, and to say clearly what he wanted. "I would whip a boy in Westminster School," replied the King, "that could not tell that by my answer." Might not he, Pem-

The King's
answer.

broke suggested, grant the militia for a time? "By God!" was the fierce answer, "not for an hour. You have asked that of me in this, was never asked of a king, and with which I will not trust my wife and children."

He abso-
lutely
refuses the
militia.

No understanding was any longer possible. The evident sincerity of both parties kept them asunder. Charles believed

No under-
standing
possible.

at the bottom of his heart that Parliament was plotting to strip him of his lawful authority in order to destroy the Church. The Houses believed in all honesty that Charles was plotting to set up an arbitrary power which, whether he intended it or not, would redound to the advantage of the Pope.¹

One more word Charles had yet to speak. "The business of Ireland," he said, "will never be done in the way that you are in. Four hundred will never do that work. It must be put into the hands of one. If

Charles's
reference to
Ireland.

¹ *Rushworth*, iv. 532.

I were trusted with it, I would pawn my head to end that work; and, though I beggar myself, I can find money for that.”¹

Ireland, in fact, had not been entirely neglected. Before the end of December Sir Simon Harcourt had arrived in Dublin with 1,500 men. In February Sir Richard Grenville brought 400 horse, and George Monk, one day to be more famous than either, landed with 1,500 foot. Parliament would gladly have sent more men if money could have been found to pay them. On January 24 the City had announced that it would be impossible to raise a loan in the unsettled condition of affairs. On February 11 some London citizens presented themselves before the House of Commons. There were, they said, 10,000,000 acres in Ireland,—about one-third of the acreage of the kingdom,—liable to confiscation. There would be no difficulty in raising 1,000,000*l.*, if a quarter of these lands, or 2,500,000 acres were assigned to subscribers. This monstrous scheme of confiscation was received without a word of objection. Lords and Commons, Episcopalians and Puritans, were of one mind here. The scheme for the opening of a public subscription passed through both Houses in a week.

The King’s consent was asked, and on the 24th his answer was read in the House.² If he had any better policy than that of Parliament it was time to speak out. He did nothing of the kind. Hinting a disapprobation which he durst not express, he replied that he consented ‘to every proposition now made to him, without taking time to examine whether this course may not retard the reducing of that kingdom by exasperating the rebels, and rendering them desperate of being received into grace if they shall return to their obedience.’ What excuse can be made for the man who had no time to spare in such a case as this?

The Lords Justices hoped to have everything their own way now. There would be one more sweeping confiscation—

¹ *Rushworth*, iv. 532.

² *C. J.* ii. 420, 425. *L. J.* iv. 593, 607. Moore’s Diary, *Harl. MSS.* cccclxxx. fol. 131.

lands and wealth for Englishmen, the sharp sword or the pangs of hunger for the Irish. The rebels in the neighbourhood of

Fighting in
Ireland.
Feb. 11. Dublin were attacked and driven back, houses and cottages were burnt, and the inhabitants cut down or hanged without mercy. There was no glory to

be gained in such a war. The Irish were badly armed, or not armed at all. 'Poor naked rogues,' was the phrase usually applied to them, but they swarmed around in numbers so great as to make the struggle appear endless. They never stood long before a charge of disciplined troops except behind walls. Their very resistance was counted a crime. Sir Simon Harcourt

March 25. was slain in storming a fortified post near Dublin. After entering through a breach, his soldiers, as one of their number told in his diary, 'slew man, woman, and child to the number of 300 and more.'¹

Very much the same miserable story came from Drogheda. Tichborne and his little garrison within were hard put to it to ward off starvation. But the Irish, though assisted
The siege of
Drogheda. by their friends inside, failed in every attempt to take the town. Whenever it suited Tichborne to make a sally, he drove the besiegers like sheep before him, killing those whom he could reach. Here, too, their numbers alone made them formidable. Early in March, Ormond was sent with a small force to relieve the place. The terror of his coming had been sufficient, and before he arrived Drogheda was free.

It had been with no goodwill that the Lords Justices had sent forth Ormond on this mission. The orders which they
Feb. 23.
Orders to
Ormond. had given him commanded him to burn and destroy all places in which rebels had been harboured,² and to 'kill and destroy all the men there inhabiting able to bear arms.'³ Lest he should distinguish himself too much, he was ordered not to pass the Boyne to follow up the enemy. His suggestion that the houses of such of the lords or gentlemen of the pale as came to him to surrender

¹ Diary, *Ciarendon MSS.* 1584.

² Carte's narrative is supported by the large collection of letters in the *Carte MSS.*

³ Lords Justices to Ormond, Feb. 23, *Carte's Letters*, lx.

might be spared, was contemptuously set aside.¹ The fierce spirit of revenge which had been kindled by pity for the victims of Irish cruelty was degraded by the Lords Justices into the instrument of avarice. Every Irishman knew that for him the struggle was one for life or death, for land as well as for religion. "It is not my cause alone," wrote Lord

Lord Mountgarret's remonstrance.

Mountgarret to Ormond, "it is the cause of the whole kingdom, and it hath been a principal observation of the best historians that a whole nation, how contemptible soever, should not be so incensed by any prince or State how powerful soever, as to be driven to take desperate courses."²

Into that red mist of blood which was settling down upon Ireland it is happily not the duty of the historian of England

The misery of Ireland.

to enter in full detail. The unarmed, untrained Irish peasants fell before the stronger disciplined bands of England as grass before the mower. Nobler spirit never was than that of Edmund Verney, a younger son of Charles's Knight Marshal. Yet even his temper was lowered by the element in which he worked. "There is little news,"

May 30.

he wrote from the camp in which he served; "the enemy runs from us wheresoever we meet them, but if we chance to overtake them we give no quarter, but put all to the sword." To butcher grown men only was fast becoming a mark of virtue. When Trim was taken, in June, writes the

June 22.

July.

same officer, "we put some fourscore men to the sword, but, like valiant knights errant, gave quarter and liberty to all the women."³ When the Scots landed at last, their cruelty was even worse. A party of them near Charlemont 'took many cows, killed about forty men, and many women and children, in all some say five, some seven hundred.' The poor wretches had not even been guilty of the crime of defending themselves. They had no powder with them. All that could be said of them was this: "They did endeavour to drive

¹ Ormond to the Lords Justices, March 9. The Lords Justices to Ormond, March 11. Temple to Ormond, March 10, *Carte's Letters*, xiii., lxiv., lxxv.

² Mountgarret to Ormond, March 25, *Carte MSS.* iii. fol. 12.

³ E. Verney to Sir R. Verney, May 30, June 22, *Verney MSS.*

away their cows."¹ The Irish in turn were goaded into fury. Ever since the relief of Drogheda there had been fresh scenes of murder. Englishmen and Irishmen were to one another but noxious beasts of prey to be slaughtered without mercy. All feeling of a common humanity had been lost between them. The imaginative power which calls up before the mind the real life of an enemy was altogether lacking, and for want of it the people perished.

For the misery of Ireland no party in England could avoid responsibility. On March 19 Charles gave the Royal assent

March 19. to that monstrous Bill which was to hand over to
The Ad- English adventurers two millions and a half of acres
venturers' of Irish soil. He had ceased to think of Ireland ex-
Bill receives cept so far as it might assist him in his struggle with
the Royal the Royal assent.

March 16 the English Parliament. That struggle was already
The Com- taking a sharper form. On the 16th the Commons
mons claim supreme answered the King's declaration that the ordinances
power for of the House were not to be obeyed without his con-
Parliament. sent, by a resolution 'that when the Lords and Commons in
Parliament, which is the supreme court of judicature in the
kingdom, shall declare what the law of the land is, to have this
not only questioned and controverted, but contradicted, and a
command that it should not be obeyed, is a high breach of
the privilege of Parliament.' Such a claim to sovereignty was
necessarily followed by many acts which were violently uncon-
stitutional, in the sense that they would have been out of place
in a state of things in which the constitution was in working
order. Even before the words had been spoken,

March 15. Parliament had claimed the right of directing the
Parliament armed forces by sea as well as by land. Northumber-
claims the land was constitutionally timid, and was unwilling to
the command at take an active part in the strife. He was accordingly asked to
sea. appoint Warwick to command the fleet, which would soon be
ready to put to sea.²

The Commons had little doubt that Charles was prepared

¹ Conway to Ormond, July 18, *Carte MSS.* iii, fol. 325.

² *L. J.* iv. 645.

to use force against them. A letter directed to Pym was picked up in Palace Yard. The writer stated 'that he had heard the King say that he had the nobility, the gentry, and divers honest men on his side ; that the Parliament had irritated the military men and denied them employment in Ireland, and so prepared swords for their own throats ; that he did not doubt, if Hull proved right, but that an army of 16,000 men, commanded by the said military men or officers, would keep him in safety.' Some one attached to Charles's person had been heard to say, "What if you see Hull yield to the King, and young Hotham be hanged up?"¹ Four

March 19. days later came news of a statement made at Rotterdam by a mariner named Henley, that he had been asked by a servant of Lord Digby to take charge of a ship at Elsinore, which was one of a fleet intended to bring thirty or forty thousand Danish soldiers to Hull. An anonymous letter from Newmarket, directed to Pym, added that French troops were to be sent to Ireland, that the English navy was expected to take part against Parliament, and that all the resolutions of the Commons were betrayed to the King by

some of the members of the House.² No wonder that the Houses directed that no troops should be admitted into Hull without authority from Parliament.³

Whether these rumours were exaggerated or not, there can be no doubt that they were not mere inventions. The Queen was not looking only to the money which she hoped to raise by pledging her own and the Crown jewels. She did hope to obtain aid from the King of Denmark. She did think it possible to bring about by her mediation a truce between Spain and the Dutch Republic—a truce which would enable Frederick Henry, gained over by the splendid offer of a marriage between his daughter and the Prince of Wales, to intervene effectually on her husband's behalf. Behind this were visions still more vague of help from France or Spain, from the Emperor or even from Bavaria.⁴

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 33.

² *L. J.* iv. 655.

³ *Ibid.* iv. 656, 659, 662.

⁴ The evidence for this is scattered over Rossetti's letters. See, too, the

For some time the impatient Queen had been urging her husband to gain possession of the seaport on which her hopes were fixed. "When you come to Hull," she wrote, "if you find the country well affected, Hull must absolutely be had. If you cannot, you must go to Newcastle, and if you find that is not safe, go to Berwick, for it is necessary to have a seaport."¹ Charles did not find it easy to seize Hull, especially after the disclosure of the scheme for introducing Danish troops into England. On the 19th he rode into York,² and did his best to

March 7.
The Queen
urges the
seizure of
Hull.

March 19.
Charles at
York.

curry favour with his subjects by ordering the execution of the laws against the Catholics. The feeling in Yorkshire was not as hostile to him as that in London. In York itself, the common people, dissatisfied with the suppression of the Council of the North, placed themselves on his side. A proposal to petition the King to return to his Parliament found but little support, and those who advocated it were compared to the Gadarenes who besought Christ to depart from their coasts. But there was little enthusiasm for the King, and no inclination to plunge into civil war. The address sent

up to him suggested, under respectful forms, that it would be well for him to come to an understanding with Parliament. Charles in his answer expressed him-

April 5.

quotation from Barberini at p. 55, note 2. At a later time, after Charles had abandoned these projects, Rossetti writes that having made particular inquiry, he had discovered 'che il pensiero del Rè d'Inghilterra è di restituirsi in autorità et abbassare anzi distruggere, se potrà, il partito Parlamentario, ma per ciò effettuare non vede luogo di poter prevalersi di mezzi forestieri.' This was on the ground that France was engaged in a war of its own, that Spain was weak, and so forth. Of the Prince of Orange 'se bene il Padre Filippo dice che esso Principe non habbia danari, si crede pero sia per somministrarne segretamente per non crescere la gelosia agli Staii causata dal matrimonio del figliuolo. Circa à Bavari si credono meri discorsi. In Danimarca si potrebbe havere maggior speranza di gente se bene sino adesso non si scopre veramente che vi sia passata trattatione.' —Rossetti to Barberini, July $\frac{3}{13}$, *R. O. Transcripts*.

¹ The Queen to the King, March $\frac{7}{17}$, *Letters of Henrietta Maria*, 52.

² *Iter Carolinum* in Gutch, *Coll. Curiosa*, ii. 427.

self ready to do so, if only Parliament would acknowledge its errors.¹

If Charles thought it expedient to abandon for a time his projects upon Hull, it was with no thought of acknowledging the authority of the Parliament at Westminster. He wished to show that the centre of the State was to be found wherever his

March 23. person was. On March 23 he summoned Essex and
Essex and Holland sent
for. Holland, with two other lords, to attend him at York,
on the pretext that he wished to keep state at Easter

March 28. and at the Feast of St. George. The House of Lords
at once ordered its members to remain in attendance on their
Parliamentary duties.²

Charles's efforts to shake the resolution of the Houses had
hitherto been singularly ineffectual. Intrigue and argument in
turn had been employed in vain. The ramparts of

Charles's
apparent
helplessness. Hull were still manned by Hotham's trained bands.

Hyde's lengthy state papers were answered by others
as lengthy, and apparently more convincing than his own. No
man was prepared to draw sword merely to give the King the
mastery over his Parliament; and if Parliament had really re-
presented the nation in 1642 as it had represented it in 1640,
Charles would have been powerless. For some time, however,
there had been signs that it was no longer so, and those signs
had lately been increasing rapidly.

Most valuable as an indication of the distracted condition
of the country was the Kentish petition, drawn up on March 25
by the grand jury at the assizes held at Maidstone.

March 25.
The Kentish
petition. It is true that, as afterwards appeared, the grand
jury had been selected not in the usual way by the

sheriff, but under the direction of Justice Mallett, who presided
over the court; and that of the nineteen gentlemen who com-
posed it, a bare majority of ten supported the petition. But
the importance of the petition lies not in its official character,
but in the language in which it was couched. It began by
thanking Parliament for the excellent laws which 'by His

¹ Stockdale to Lord Fairfax, March 25, April 1. *Fairfax Correspon.*
ii. 389. Yorkshire Petition, April 5. *L. J.* iv. 710.

² *L. J.* iv. 675.

Majesty's grace and goodness' had been obtained, and by asking for the full execution of the laws against the Catholics. It then proceeded to request 'that the solemn liturgy of the Church' might be freed 'from interruptions, scorns, profanations, threats, and force of such men who daily do deprave it, and neglect the use of it in divers churches, in despite of the laws established; that episcopal government might be preserved, and that all differences concerning religion might be submitted to a synod chosen by the clergy, and means taken to provide against the scandal of schismatical and seditious sermons and pamphlets, and some severe law made against laymen for daring to arrogate to themselves and to exercise the holy function of the ministry—to the advancing of heresy, schism, profaneness, libertinism, anabaptism, atheism.' Coercive jurisdiction must be restored for the repression of moral and ecclesiastical offences. Ireland must be relieved. The militia must be settled by law with His Majesty's consent, and no order of either House, not grounded on existing law, was to be enforced till the Royal assent had converted it into a statute.

The Kentish petition may fairly be accepted as embodying the spirit which was soon to animate the King's supporters in the Civil War. Their newly awakened zeal for the prerogative had been quickened by the belief that it would be used to crush the disturbers of ecclesiastical peace. They protested against the assault made upon the Church which had been inspired by the broad and tolerant spirit of Hooker. That Church, they felt instinctively, deserved better things than to be torn asunder to gratify the ranting outcries of the conventicle. Unhappily they could see nothing in Puritanism but its weakest and lowest side. Still more unhappily they scouted the very idea of toleration for the sects.

Spirit of the petition. "The prelates," as Milton had written a few weeks before, "as they would have it thought, are the only mauls of schism. Forsooth, if they be put down, a deluge of innumerable sects will follow; we shall all be Brownists, Familists, Anabaptists. For the word Puritan seems to be quashed, and all that heretofore were counted such are now

Milton's argument on ecclesiastical jurisdiction.

Brownists.”¹ Milton refused to be led astray by that dread of the sects which was sweeping away the bulk of the English gentry to the King. His inference was precisely the opposite from that which was drawn by the Kentish petitioners. “Jurisdictional power in the Church,” he boldly said, “there ought to be none at all. . . . For when the Church without temporal support is able to do her great works upon the unforced obedience of men, it argues a divinity about her ; but when she thinks to credit and better her spiritual efficacy, and to win herself respect and dread by strutting in the false vizard of worldly authority, it is evident that God is not there, but that her apostolic virtue is departed from her, and hath left her key-cold ; which she perceiving, as in a decayed nature, seeks to the outward fomentations and chafings of worldly help and external flourishes to fetch, if it be possible, some motion into her extreme parts, or to hatch a counterfeit heat of jurisdiction.”²

It would have been well if the practical men in the House of Commons had bestowed some attention on the strange utterances of this idealist. Milton’s time, however, It finds no response. was not yet come. Even Cromwell, who was one day to become the exponent of these thoughts in the field and in council, would now have deemed them, if they reached his ears at all, too unpractical to be worthy of attention. The Kentish petitioners were to be put down, not answered. Four of their March 28. Harsh treatment of the petitioners. number—Sir Edward Dering and the honest large-minded antiquary Sir Roger Twysden amongst them—were sent for to be examined as offenders. Judge Mallett, who had presided at the assizes, and Bristol, who was charged with having in his hands a copy of the petition without giving information to Parliament, were committed to the Tower ; whilst selected extracts from the petition itself were voted to be seditious.

The House, in fact, had a plan of its own for the settlement of the Church. Questions at issue were to be determined

¹ *The Reason of Church Government against Prelaty*, i. 6.

² *Ibid.* ii. 3.

not, as the petitioners proposed, by an assembly of divines chosen by the clergy, many of whom had been instituted under Laudian influence, but by an assembly of divines chosen by Parliament. A Bill condemning the late innovations had already passed the Commons and had been read twice by the Lords.¹ Two absolutely contradictory conceptions of Church worship were face to face. Neither side would give way. Neither side thought it possible to conciliate the other. If any one moment can be selected

The rival schemes for the settlement of the Church.

The Civil War now inevitable.

as that in which the Civil War became inevitable, it is that of the vote of March 28, by which the Kentish petitioners were treated as criminals. From that moment the indignation of hundreds of high-spirited gentlemen came rapidly to a head, and it would not be long before they placed their swords at the services of a king who shared in their prejudices and their resolve.²

It has often been said with truth, that the miseries which France underwent at the close of the last century were in the main owing to the persistency with which Frenchmen followed ideals, to the disregard of the historical conditions of their time. English politicians and English writers have never been weary of repeating that our Revolution was conducted after a very different fashion. It has been our glory that our liberties were inherited from our ancestors of old, and that the men of the 17th century claimed no more than a confirmation of the rights which had been won at Runnymede and Lewes, and which were in some sort brought by our remoter progenitors from beyond the sea. Yet this advantage, like every other, has brought with it its attendant disadvantage. In the crisis of the 17th century it produced in both parties a shortsighted conservatism which was fatal to any peaceable solution of the

Its cause in the conservatism of Englishmen.

¹ C. J. ii. 502, 507. L. J. iv. 678.

² Three days later Salvetti wrote: 'Io credo che se Sua Maestà avrà un poco di pazienza sia per rimettersi, siando impossibile che il Parlamento non si rompa in ultimo fra di loro; oltre che i Gentilhuomini siando stracchi del suo rigido procedere cominciano ad aderire a Sua Maestà.'—Salvetti's *News-Letter*, April $\frac{2}{11}$.

problem before the nation. Men had grown so familiar with inquiries into what had been, that they did not sufficiently trouble themselves to ask what ought to be. They consulted antiquity when they should have been providing for the future. They did not see that they had embarked on an unknown sea, where their old charts would avail them little.

CHAPTER CV.

THE EVE OF THE CIVIL WAR.

IF both parties were equally impervious to new ideas on the supreme question of toleration, it was of little consequence that the existing constitutional formalities were better observed by the party which was about to support the King than by the party which continued to oppose him. Pym and his friends had been driven by the course of events to uphold the doctrine that Parliament and not the King was supreme in England. How could they hope to make it good unless the votes of Parliament embodied the national will? Yet it was now perfectly evident that this was no longer the case. Killigrew's suggestion that a deputation of members should be sent into each county to inquire into the opinion of the constituencies, on the ground that 'it was not the exacting of a law that made it in force, but the willing obedience to it,' was no doubt open to grave objections, but it touched the weak point of Pym's policy to the quick.¹ It was Pym's part to assume that he had all England at his back. On March 29 directions were sent to Hotham to reinforce the garrison of Hull, and on March 29 Hull to be secured. April 2 the Commons voted that the munitions at Hull should be brought to London, though the vote was afterwards changed, at the instance of the Lords, to a request to the King to consent to their removal. On the other hand, a company of horsemen rode out of London on the 3rd

Parliament
no longer
represents
the nation.

April 1.
Killigrew's
suggestion.

March 29.
Hull to be
secured.

April 2.

¹ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 58 b.

to join the King at York, and it was known that the Gentle-
men Pensioners had obeyed a summons from Charles
April 3. to attend his person in the North.
Help for the King.

On April 4 the Commons appointed a committee
to prepare a declaration of their ecclesiastical policy ; and on the
same day the two Houses, finding that Charles had
Measures taken by Parliament. forbidden the appointment of Warwick to command
the fleet, directed Northumberland to instal their
nominee as Vice-Admiral in defiance of the King. The two
resolutions had a closer connection than appears at first sight.
The ecclesiastical policy of the Commons rendered necessary
their preparations for war.¹

The Lords had already agreed that the militia ordinance
should be put in force even without the King's consent. On
the 8th they sentenced Benyon to fine and imprison-
ment for his attempt to stir up resistance to the
militia ordinance under cover of the privileges of the
City.² The Lords in truth were no more than a shadow of
their former selves. Many of the Royalist peers had
given up the struggle and had ceased to attend in
their places. In the division taken on Benyon's
sentence there were but nineteen votes in the majority. The
minority was composed of fourteen only.³

Charles had, in the meanwhile, been listening alternately to
his hopes and his fears. As yet there had been little to en-
courage him in the North. The bulk of the gentry
showed little inclination to support him, and pe-
titioned him to come to terms with Parliament.
Charles, in his reply, assured them that all would be
well if only Parliament would consider the message
in which he had asked that its demands on ecclesi-
astical matters should be presented to him as a whole, and
would agree to settle the militia by Bill instead of by ordi-
nance.⁴

It would have been better for Charles if he could have been

¹ C. J. ii. 510. D'Ewes's Diary, Harl. MSS. clxiii. fol. 62 b.

² See page 168. ³ L. J. iv. 682-705. ⁴ Rushworth, iv. 613.

content to act persistently on these lines. The outburst of feeling which had been to some extent revealed in the Kentish petition, had drawn from the Houses an announcement of the

April 8.
The declaration
of the
Houses on
Church
reform.

moderation of their desires and intentions with regard to the Church. Their only wish, they said, was for 'a due and necessary reformation of the government and liturgy of the Church,' and 'to take away nothing in the one or the other but what shall be evil and justly offensive, or at least unnecessary and burdensome, and, for the better effecting thereof, speedily to have consultation with godly and learned divines.'¹

The course which prudence clearly dictated to Charles was to accept the hand thus held out to him, to endeavour to reduce to a minimum the changes which would be demanded, and to come to some compromise on the question of the militia. Yet, in order to make such an attempt possible, it was absolutely necessary that he should be able to inspire confidence in his sincerity, and should induce his subjects to believe that he was no longer the Charles who had dabbled in army plots the year before. Yet as if to render all hope of conciliation impossible, on the very day on which the resolution on the Church was accepted by the Lords a message was speeding southwards which revived all the old suspicions.

In this message Charles announced his resolution to go to Ireland to suppress the rebellion. For this purpose he intended to raise a guard of 2,000 foot and 200 horse and to arm them from the magazine at Hull. To remove all misunderstanding he had ordered a Bill to be prepared for settling the militia, a Bill which, as it afterwards appeared, proposed that the command should be placed in the hands of the persons named in the Parliamentary ordinance, to be exercised for one year under the directions of the King signified by both Houses of Parliament, as long as he was in England, and under the directions of Parliament alone when he was beyond the sea.²

Charles declares that he will go to Ireland.

¹ *L. J.* iv. 706.

² *Ibid.* 709. The Bill has not been preserved, but its contents may be discovered from the subsequent discussions.

We may well believe that Hyde had no part in this unlucky message.¹ No one who read it could doubt that Charles, His probable intentions. having been disappointed of the support which he had expected in the North, designed either to attach himself to the army which he intended to lead against the Irish insurgents, or even to avail himself in some way of those very insurgents whom he was professing to assail. In either case the relinquishment of the command of the militia for a single year would only tide over the time till he was ready to return from Ireland at the head of a body of devoted and victorious troops.

That this strange scheme of a journey to Ireland had been concerted with the Queen there can be little doubt.² In the spring of 1642, as much as in the spring of 1641, she The Queen hopes for help from the Dutch; was the centre of a wide-reaching plot for securing the co-operation in her favour of irreconcilably antagonistic forces. Her offer of the Prince of Wales to Frederick Henry as a son-in-law had made its expected impression, and the Prince of Orange had readily taken up her suggestion that Dutch ambassadors should be sent to England nominally to offer the mediation of the States between the King and Parliament, but in reality to pave the way for more direct assistance to be given, if it should prove necessary, to the Royal cause. It was true that the commercial aristocracy of the Province of Holland set itself strongly against this plan for entangling

¹ Here is the opinion of a strong Royalist on it: "You may easily imagine how unsatisfied I am with the resolution His Majesty hath taken concerning Ireland, till I understand from you how it agrees with the sense you have of what is fit for him to do at this time . . . The King is resolved to take the Prince with him."—Grandison to Hyde, April 12, *Clarendon MSS.* 1588.

² "I will reply to your letter, where you say that if you can go to Ireland, and that the road by England is not safe, that you will go to Ireland by Scotland, which is a road that I apprehend extremely; for the troops who are going are entirely devoted to the Parliament, and they will hold you as a prisoner, if the Parliament please; thus you cannot join the army of the Catholics, nor approach Dublin by that road."—The Queen to the King, April 25, May 5, *Letters of Henrietta Maria*, 66. On the suspicions of Parliament, see Giustinian to the Doge, April 15, April 22, 25, May 2, *Venice Transcripts R. O.*

them in strife with the English Parliament, and that even the lower ranks of the population, hitherto devoted to the House of Orange, showed signs of breaking away from an allegiance which called on them to applaud the sacrifice of the interests of the republic to a dynastic alliance with a Catholic queen.¹ At the beginning of April, however, the project was not yet given up by Charles and the Queen, and the same might be said of that

other project for obtaining aid from Denmark. Ever since the King had left London a succession of communications had been passing betwixt him and his uncle; and though the idea of sending Digby to Copenhagen was abandoned, from fear of rousing the suspicions of Parliament, a communication was on April 11 addressed by the Queen to Christian IV., which could hardly have referred to anything else than the succour which she expected from him.²

If any one of these schemes was to come to anything, it

¹ Zon to the Doge, March $\frac{7, 14, 21}{17, 24, 31}$, *Venice MSS. Olanda*.

² Dr. Fridericia, whose thorough knowledge of the archives of his country led me to consult him on this point, has been good enough to write to me from Copenhagen as follows: "In our *Geheimarchiv* exists a notice about a conversation between Henrietta Maria and the Danish resident, Tanke, at the Hague, dated *Hagæ Comitûs*, April $\frac{12}{21}$, 1642. The Queen says that she has received a letter from King Charles to be sent to the King of Denmark, *per nobilem aliquem ex Hollandia*, but fearing that such a mission might increase the suspicion of the Parliament, she has preferred to give the letter to the resident, *quum sit de re tantum privata*. More is not noted down, and in the relations of the resident to the King he does not mention this conversation at all. But, besides that, there exist two letters of credence from Charles I. to Christian IV., of the first half of 1642, the first dated Dover, Feb. 23, and the second dated York, May 10; but the names and purposes of the ambassadors are not named. In the first letter the King speaks about *l'extrémité où je suis*; in the second he only mentions propositions to be made. The missions are not, as far as I know, elsewhere mentioned in Danish sources. But before this, two ambassadors, also the Colonel Henderson who returned to Denmark in the autumn of 1642, visited Christian IV. in the first days of February." I feel no doubt that the letter of credence of Feb. 23 was intended to have been carried by Digby. Of that of May 10 I can only guess that it contained detailed instructions for Digby, or for some other person, whom Charles still contemplated sending.

was absolutely necessary that the King should have in his possession a seaport in which to receive foreign troops or foreign munitions of war. The Queen had little patience with her

April 6. husband's hesitation to make the attempt on Hull.
The Queen urges Charles to seize Hull. "As to what you wrote me," she urged, "that everybody dissuades you concerning Hull from taking it by force, unless the Parliament begins—Is it not beginning, to put persons into it against your orders? For my part I think that the Parliament believes that you are constantly expecting an accommodation . . . and that else, they would speak after another fashion. For you having Hull is not beginning anything violent, for it is only against the rascal who refuses it to you. . . . Think that if you had not stopped so prematurely, our affairs would perhaps be in a better state than they are, and you would at this moment have Hull."¹

The King would gladly have had Hull if he could have had it without show of open violence. On the 14th, whilst he was still waiting for an answer to his proposal to visit Ireland, he sent a reply to the request made to him by Parliament for his permission to remove the magazine from Hull to the Tower. That reply was doubtless drawn up by Hyde. Treating the appointment of Hotham as the illegal act which it undoubtedly was, he appealed to that sense of legality which is always strong in Englishmen, and which was especially strong in the 17th century. "And now," he wrote, "let us ask you ; . . . Will there never be a time to offer to, as well as to ask of us? We will propose no more particulars to you, having no such luck to please or to be understood by you. Take your own time for what concerns our particular ; but be sure you have an early speedy care of the public, that is of the only rule which preserves the public, the law of the land ; preserve the dignity and reverence due to that. It was well said in a speech made by a private person,"—it was Pym's speech against Strafford from which Charles was about to quote—"but published by order of the House of Commons this Parliament :

April 14.
The King's answer about the magazine at Hull.

Charles quotes Pym.

¹ The Queen to the King, April $\frac{6}{16}$, *Letters of Henrietta Maria*, 59.

'The law is that which puts a difference betwixt good and evil, betwixt just and unjust. If you take away the law, all things will fall into a confusion, every man will become a law unto himself; which, in the depraved condition of human nature, must needs produce many great enormities. Lust will become a law, and envy will become a law; covetousness and ambition will become laws, and what dictates, what decisions such laws will produce may easily be discerned.' So said that gentleman, and much more very well in defence of the law, and against arbitrary power."¹

Over Pym and the Parliamentary majority Charles might enjoy an argumentative triumph. Their own experience was teaching them the truth which Strafford had always firmly upheld, that the government of nations must rest upon a broader basis than that of positive law. They had grasped at arbitrary power to defeat arbitrary power. Charles clung to arbitrary power under the form of legality. Pym's true answer was that the King was not to be trusted. A legal power, which was to put the King at the head of a conquering army in Ireland, in order that he might return with the means in his hands of stopping even the most necessary reforms in England, was a legal power which ought to be abolished as soon as possible.

Already, before this message was received, Parliament had begged the King to desist from his purpose of visiting Ireland, under the transparent pretext of anxiety for the safety of his person, and had added a threat that if he persisted in going, they would pay no obedience to any commissioners appointed to govern England in his absence. Their answer to the King's appeal to the law was a peremptory order that the magazine should be removed from Hull, accompanied with a full approval of Hotham's conduct in command. On the other hand something was done to give the King satisfaction in his demands about the militia and the Church. On the 20th the Commons took in hand the nomina-

April 15.
Parliament
requests the
King not to
go to Ire-
land.

April 18.
Order of
Parliament
to remove
the maga-
zine.

April 20.
Nomination
of divines.

¹ C. J. ii. 532.

tion of the divines who were to be consulted on the proposed ecclesiastical reforms, and on the same day the King's Militia Bill, which had come down from the Lords, passed through committee. It is true that it was subjected to some amendments. The time of its operation was extended from one to two years, and it was now proposed that instead of leaving the right of calling out and employing the militia to the King's orders, signified by the two Houses of Parliament, it should be left with the Lords-Lieutenants themselves, who were named in the Bill. It was obvious that, as proposed by the King, the Bill would, as long as Charles remained in the kingdom, have reduced the militia to inactivity, unless he chose to send a message requesting the Houses to put it in motion ; and that it would therefore offer no security against an invasion coming with the concurrence of Charles himself.¹

It is unlikely that Charles, as soon as he heard that he was not to go to Ireland, retained any inclination to favour the Militia Bill, even in the shape in which it had left his hands. The reception of the resolution of the Houses to remove the magazine from Hull stung him at once to action of that kind which he most affected. He would go to Hull, not as an act of war, but merely to take possession of his own. The town was his, and the munitions were his. Who would resist him if he claimed his own property?

The King
resolves to
go to Hull.

He was the more able to act freely as he had just had the satisfaction of recovering another of his children. On the 16th Hertford arrived, bringing with him the Duke of York.² In that which Charles was about to do he had some local feeling on his side. On the 22nd Sir Francis Wortley and about twenty other York-shiremen presented him with a petition in the name of the county, in which he was asked to forbid the removal of the munitions.

April 16.
The Duke of
York
brought to
the King.

April 22.
Wortley's
petition.

Charles indeed made it his object to avoid everything

¹ The account of the Bill comes from the subsequent explanations on both sides. The reason given for its amendment is purely conjectural.

² Nicholas to Roe, April 20, *S. P. Dom.*

that savoured of violence. He believed that Sir John Hotham, if properly approached, would not refuse to surrender the fortress to its natural master. On the 22nd, therefore, he sent the Elector Palatine and the Duke of York to visit the town, as if to satisfy their curiosity. The lads were directed to send information to the King as to his chance of obtaining admission. In their inexperience they mistook the respect with which they were received for a sign of loyal submission, and despatched

April 23.
The King
before Hull.

a messenger to the King with a favourable account of all that they had witnessed.¹ The next day accordingly Charles set out for Hull. When he was three or four miles off, he punctiliously sent Bristol's half brother, Sir Lewis Dives, with a letter to Hotham, explaining that he was coming to view his magazines, and threatening, in case of refusal, to make his way into the town, 'according to the laws of the land.'²

If Hotham had been suddenly confronted by the King in person, it is possible that he might have given way. As it was, he had plenty of time to collect his thoughts. He knew that about forty-five suspicious persons had entered the town the night before in the train of the Princes, and he had reason to believe that the Princes had not come on a mere passing visit of curiosity. He was now informed that Charles had 300 horsemen in his train, and it was rumoured that there were 400 more behind. Before the King made his appearance, Hotham resolved to be true to those who had placed him where he was. He ordered the drawbridges to be drawn up, and sent to announce to Charles his resolution.

Hotham
refuses to
admit the
King.

When he learned that in spite of this message the King was before the gates, he took his stand on the wall. With all humble expressions of duty he refused to break his trust. Charles was not likely to be satisfied with such an excuse as this. His followers cried out to the garrison to kill Hotham and to throw him over the wall. The garrison stood staunchly by their commander. Charles made one last

¹ Giustinian to the Doge, *April 29*, *Venice Transcripts, R. O.*
May 9

² Hotham to the Speaker, *L. J. v. 28.*

attempt. He engaged that if Hotham would but let him in he would bring with him no more than twenty men. Hotham, who knew that, on account of the Royalist feeling of the population, it would be as easy to get him out again with 300 as with 20, positively refused. Charles called on the heralds to proclaim Hotham a traitor, and rode discomfited away.

It was a matter of course that a long and vehement paper war should arise out of this incident, that the Houses should declare that the King's efforts to get possession of Hull were actuated by a desire to obtain a basis of operations for a Civil War, and that the King should declare that Hotham had simply committed an act of treason. The real interest of the situation lay elsewhere. That King and Parliament could not leave their quarrel much longer to the arbitrament of amicable discussion was by this time a foregone conclusion. The only question of real importance was whether Charles would find an army to back him. His first attempt did

not seem likely to be crowned with success. On the April 30. 30th a large number of the gentry of Yorkshire with the high sheriff at their head appeared to present a petition to the King repudiating the action of Sir Francis Wortley. Before the petition was presented Charles asked them whether they would defend his person from violence, and would advise him how to vindicate himself from the affront which he had received at Hull. They replied that they would always be ready to defend him from violence, and

that the best way to vindicate his honour was to follow the counsel of Parliament.¹ Charles was obliged to content himself with the issue of a negative order to the high sheriff requiring him to prohibit the levy of the trained bands of the county except on a summons from himself.² On the same day the Houses at Westminster having heard that Charles had positively refused his assent to his own Militia Bill on the pretext of the alterations which had been made in it, issued a declaration of their resolution to fall back

Controversy
opened.
The King's
demand of
the York-
shiremen.

May 5.
Prohibits
the levy of
the York-
shire
trained
bands.

Declaration
that the
militia or-
dinance is to
be executed.

¹ L. J. v. 36. D'Ewes's Diary, *Harl. MSS.* 163, fol. 101 b.

² *Rushworth*, iv. 574.

upon the ordinance, and required all persons in authority to put it in execution. At the same time they despatched a committee to Yorkshire to watch over their interests there.¹

It was not in Yorkshire alone that Charles met with a rebuff. In Scotland, too, he had been asking for more support than he was likely to get. The proposal of going to Ireland had been in all probability of the Queen's suggestion. What she wanted was that he should join the army of the Catholics there. Charles preferred to wage war under forms of peace. At the same time that he had announced² to his English Parliament his intention of going to Ireland, he had made a similar announcement to the Scottish Privy Council, informing them that he intended to take Edinburgh on his way. He even hoped that Scotland would support him in his contention against the English Parliament. No hope could have been wilder. He had, it is true, a considerable party in the Scottish Council. But Argyle stood firm, and Argyle's will was not to be resisted. On April 22 the Council drew up a recommendation to the King to abandon the Irish expedition and to come to terms with his Parliament.

Whilst Charles was beating about for support, the Commons acted on the supposition that he intended to make war against them if only he were able to do so. On the 23rd Parliament struck at the King through the Attorney-General. Sir Edward Herbert was sentenced to imprisonment for his conduct in impeaching the members. There was nothing vindictive in his treatment, and in little more than a fortnight he was set at liberty.³ On the 30th the

Kentish petition at last reached the House. Two of the principal gentlemen who brought it were at once committed to prison; Bristol had been released some days before. On May 7 a peremptory order for the

¹ *L. J.* v. 46.

² Declaration, April 22. *L. J.* v. 53. The Queen to the King, April 25, May 5. *Letters of Henrietta Maria*, 66. Forster to Chavigny, April 15, 25, *Arch. des Aff. Étr.* xlix. fol. 83.

³ *L. J.* v. 11, 58.

removal of the Hull magazine was issued by Parliament, and
 May 10. on the 10th a review of the London trained bands,
 Review in 8,000 strong, was held in Finsbury Fields in the
 Finsbury presence of both Houses of Parliament.¹
 Fields.

The King's prospects appeared more gloomy every day.
 On the 8th the Parliamentary commissioners arrived at York.
 The King at As might have been expected they found but a cool
 York. reception from Charles, who warned them not to
 tamper with his subjects there. He had invited the gentry of
 the county to meet him at York on the 12th. On their ar-

May 12. rival he unfolded his wrongs in their presence. "You
 The King's see," he said, "that my magazine is going to be taken
 appeal to the from me—being my own proper goods—directly
 Yorkshire gentry. against my will. The Militia, against law and my
 consent, is going to be put in execution; and lastly, Sir John
 Hotham's treason is countenanced. All this considered, none
 can blame me to apprehend danger." He was therefore re-
 solved to have a guard for the protection of his person, and to
 this he asked their concurrence.

The assembly was much divided. The next morning four
 several answers were returned, ranging from complete acquies-
 May 13. cence in the King's demand to a curt advice to him
 Diversity of to hearken to his Parliament. In the end a com-
 their mittee of twelve was appointed to draw up a reply;
 answers. whilst a large number of freeholders complained bitterly that
 they ought to have been consulted on the matter as well as the
 gentry, and urged upon the King the importance of coming to
 an understanding with his Parliament.²

The committee of twelve could come to no agreement.
 Six were for doing as the King wished, and six were for a ne-
 May 14. gative answer. Charles took the matter into his own
 The King orders a hands. On the 14th he issued orders that the gentry
 guard. of the county were to appear in arms at York on the
 20th as a guard for his person.³ The next day a regiment of
 the Yorkshire trained bands was bidden to meet in arms on the

¹ *Clarendon*, v. 139. *Salvetti's News-Letter*, May $\frac{13}{23}$.

² *Rushworth*, iv. 615.

³ *Ibid.* 621.

17th. At the same time Charles sent directions to Skippon, the commander of the City trained bands, to come to York, and ordered the Lord Keeper to remove the Law Courts from Westminster to the same city.

May 15.
Sends for
Skippon,
and orders
the removal
of the
courts.

On the 17th the Houses resolved that the removal of the courts and the order to Skippon were both illegal, and directed the sheriffs to suppress any levy of men made without their authority.¹ On the 20th they expressed the opinion that the King intended to make war against his Parliament, and summoned him to desist from his purpose of raising troops. If he did not, they would be bound to use their utmost endeavours to secure the peace and quiet of the kingdom.²

May 17.
Resistance
of Parlia-
ment.

May 20.
Summons
from Parlia-
ment.

Charles had already made up his mind to summon round him what forces he had at his disposal. His Yorkshire guard would not have been sufficient to secure him. The regiment of trained bands called out by him was quartered at York, and on the 21st about 200 gentlemen of the county rode in to place themselves at his disposal.

May 21.
The King's
guard.

He had invited the Lords and Commons who were willing to support him to place themselves by his side, and one or two lords had already responded to the call. The Lord-Keeper, timid and indecisive, yet unable to resist a Royal order, had been the first to slip away and to bring the Great Seal to the King at York. Hyde quickly followed, and for some time there was a continual stream of noblemen and gentlemen making their way northwards. On the other hand, Warwick's ships fetched away the stores from Hull before the end of the month, and safely lodged them in the Tower.

Flight of
Lords and
Commons.

All this time the paper war had continued as hotly as ever. At last on June 2 it was brought to a head by the Nineteen Propositions sent off on that day by the Houses to the King. They were a new edition of the Provisions of Oxford. They claimed sovereignty for Parliament in every particular. The King's Council, the

June 2.
The Nine-
teen Proposi-
tions.

¹ *L. J.* v. 67.

² *Ibid.* 76.

King's officials, the very judges of the land were to be selected by Parliament. The Militia ordinance was to be accepted, all delinquents to submit to the justice of Parliament, the King's guard to be dismissed, and the fortresses placed in the hands of persons approved of by Parliament. The recusancy laws were to be put fully into execution. The children of Roman Catholic parents were to be educated as Protestants. The Church was to be reformed according to the desires of Parliament, and no Peers subsequently created were to be allowed to sit in the House of Lords without the consent of both Houses.¹

It is impossible to deny that these propositions carried with them an abrogation of the existing constitution ; yet with the exception of the clauses directed against the recusants, and those which related merely to matters of temporary importance, there is scarcely a word in them which is not in accordance with the spirit of the constitution of the present day. What we do indirectly through a Cabinet which maintains itself in power only so long as it is secure of the support of the House of Commons, our forefathers proposed to do directly by an immediate vote of the two Houses. Sovereignty, they held, must be lodged in Parliament which represented the nation, and not in a king on whom no man could depend. Such a view implied a great step in advance. Pym's greatness lies in the clearness with which he substituted the notion of the civic duty of loyalty to the corporate body of the nation for that of duty to a single person.

So far the argument sounds well enough. Its weakness lay in the fact that this special Parliament did not at this time any longer represent the nation as a whole, nor did it claim to content itself with representative functions alone. Where thought is free and religious and scientific liberty is secured, a representative assembly may well claim to be but the mirror in which the national purpose is reflected. It does not claim to force future generations into a form which it has chosen for them. It leaves the wind of spirit and intelligence to blow whither it listeth, and makes no attempt to crush down the

¹ *L. J.* v. 97.

new life of the future into the narrow mould of which alone it approves. It was not so with the Long Parliament in 1642. It was resolved to choose for the nation the Church-forms and the Church-doctrine which it thought best. In all matters of the highest moment England was to take its ply from Parliament, and not Parliament from England. Pym and his comrades claimed the rights of representation without understanding its duties.

Nor was this all. Even if it could be assumed that the ecclesiastical policy of Pym's supporters was entirely right, it was inevitable that, in the clash of authorities, Parliament should assume many functions which it could not permanently exercise without detriment to the nation. Parliament had come slowly and reluctantly to the conclusion that the government of England could not safely be left in Charles's hands. Charles could not be allowed to use the executive powers which he had hitherto possessed to introduce foreign troops into an English seaport, and with their help to make himself master of the country. Yet it was impossible that those executive powers could remain in abeyance. Even when public excitement is at the lowest ebb, it is absolutely necessary that there shall be some government to direct the course of public action. Recent experience has taught us that the wisest course would have been the dethronement of Charles and the immediate instalment of a new sovereign. The Long Parliament could not as yet venture on such a step. Public opinion amongst its own members as well as in the nation would have scouted the idea as treacherous and disloyal, and its own anxiety to innovate as little as possible led it to the greatest and most disastrous of innovations. The Houses took the executive authority into their own hands, and assumed functions for which a representative assembly is by its very nature unfitted. Nothing could come of it but hasty and violent action. Rewards and punishments would be distributed according to the temper of the majority. The majesty of the law would be overwhelmed in the attempt to uphold it. In the midst of the struggles of parties and factions the will of the many would be substituted for the will of one.

It was this which was sending so many of the English gentry on the road to York. They felt instinctively that it was not a reign of liberty which was offered them at Westminster.

Nothing better to be hoped from Charles. Yet what better thing could they expect from Charles? What possible political institutions could be founded on his dry legality, on his persistent claim to stop all legislation to which his personal assent was not given, on his determination to ignore the rights of conscience in all who differed from himself? What better thing, we may even ask, could these Royalists expect from themselves? At their worst, they were rebels against the strict and stern morality of Puritanism. At their best, they were upholders of the culture of the Renaissance in religion and in life, and in following after culture, as often happens, they had lost that touch of the spiritual needs of the masses without which culture loses its power as a social force. The chasm which had been opened in the sixteenth century was widened in the seventeenth into a yawning gulf. The mind of the modern enquirer seeking for indications of peace turns bewildered from Westminster to York, and back again from York to Westminster. Nowhere is to be seen the large-hearted genius which pierces to the heart of a situation, and holds aloft the principle which reconciles instead of the principle which separates. The nation, as well as its Parliament, has broken asunder, and sad and evil are the days that are before it. Yet the spectacle, miserable as it is, is not one to be turned from with loathing. "If the heart be right," said Raleigh on the scaffold, "what matter how the head lie?" With most who took opposite sides now, the heart was right. Cavalier and Roundhead were taking sides neither in thoughtlessness nor in anger. Each saw the fault in his brother; though he could not discern his own.

Even by this time it was not absolutely certain that the King would find a party to defend him. On June 3, whilst the Nineteen Propositions were on their way from London, the freeholders and farmers of Yorkshire met, at the King's bidding, on Heyworth Moor, close to York. The number of those who flocked to the rendezvous

June 3.
The meeting
at Heyworth
Moor.

was variously calculated at from 40,000 to 80,000. It was too great a number to come to any ascertained decision. Copies of an appeal made by Charles to his subjects' loyalty were read aloud in different parts of the moor. The King, followed by his new guard, rode about to show himself to his subjects. Once Sir Thomas Fairfax, the eldest son of that Lord Fairfax who was member for the county and one of the Parliamentary commissioners, pressed near enough to offer a petition on the Parliamentary side. Charles refused to receive it, though Fairfax laid it on the pommel of his saddle. Fairfax was hustled and insulted by the King's attendants. In so large a crowd no order could be kept, and no attempt was made to ascertain its real feeling. Shouts were raised for the King from time to time, but no definite proposition was made, and no definite engagement given. Each party interpreted the temper of the meeting according to its own sympathies. Parliamentarians thought that the absence of any distinct offer to support the King was evidence that the popular feeling was against him. Royalists attributed this result merely to defective organisation, and asserted that if a Royalist petition were circulated it would be subscribed by as many hands as there were heads at the meeting. Satisfactory news, too, arrived from Wales, and it was understood that the Principality was prepared to rise at a moment's warning.¹

At Westminster each successive step taken by the King was met by a fresh act of defiance. On June 6 Charles's prohibition of the musters of the militia was answered by a declaration in which sovereignty was claimed by Parliament even more distinctly than before. If the King, they asserted, chose to allow armed bands to be collected for the breach of the peace, it was the duty of the Houses to interfere. "What they do herein hath the stamp of Royal authority, although His Majesty, seduced by evil counsel, do in his own person oppose or interrupt the same ; for the King's supreme and royal pleasure is exercised and declared in this high court of law and counsel, after a more eminent and

June 6.
Sovereignty
distinctly
claimed by
Parliament.

¹ Boynton to Constable, June 4. Nicholas to Roe, June 8, *S. P. Dom.*

obligatory manner than it can be by personal act or resolution of his own.”¹

From such a declaration there was no drawing back. What was now done, was done, as the Houses firmly believed, in their self-defence. “Peace and our liberties,” wrote one of the most moderate and unambitious members of the House, “are the only things we aim at. Till we have peace, I am sure we can enjoy no liberties, and without our liberties, I shall not heartily desire peace.”²

On the 9th an ordinance was passed calling on everyone who was willing to assist his suffering country to bring in money,

June 9.
Ordinance
for bringing
in money,
plate, and
horses.

plate, or horses for its service.³ Lords and Commons liberally responded to the appeal, though there were many still on the benches of the Lower House who refused to answer to the call made individually to them in the House.⁴ Constitutional purists, like D'Ewes,

June 10.
Personal call
on the Lords
and Com-
mons.

might well regret that in thus demanding of each man a declaration of his intention, ‘the very liberty and freedom of the House suffered.’⁵ The time for

such scruples had passed. Men were taking sides in a civil war, not carrying on a constitutional debate. More to the purpose was the sharp answer of Killigrew, a Royalist member who still remained at Westminster. “If there be occasion,” he said, “I will provide a good horse and a good sword, and I make no question but I shall find a good cause.”⁶ Such words were not of peaceful omen. On the 11th, news arrived

June 11.
Arms pre-
pared at
Amsterdam.

more threatening still. It was now known that the Queen had been selling or pawning jewels in Amsterdam, and had purchased considerable stores of munitions of war for the service of the King.⁷

¹ *L. J.* v. 112.

² Sir R. Verney to Lady Barrymore, June 9, *Verney MSS*

³ *L. J.* v. 121.

⁴ According to Nicholas 70 subscribed, 33 craved time for consideration, 50 refused. Nicholas to Roe, June 15, *S. P. Dom.*

⁵ D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 157.

⁶ *Clarendon*, v. 338.

⁷ *L. J.* v. 126. The Queen to the King, ^{May 25} June 4, June 7, *Letters of Henrietta Maria*, 77, 81.

On the very day on which this information was circulated in London, a forward step was taken at York. It was there resolved to meet organisation by organisation. Charles had indeed already issued a proclamation prohibiting the execution of the Militia Ordinance ; but that prohibition had produced no effect whatever to the south of the Humber. In London, indeed, the Lord Mayor was so good a Royalist as to order the proclamation containing the prohibition to be publicly read in the City. But even in Lincolnshire, where Royalism was strong amongst the gentry, Lord Willoughby had succeeded in inducing the trained bands of the county to accept the Parliamentary Ordinance. On the 11th, therefore, Charles determined to take more active measures, and by issuing commissions of array to direct the trained bands to place themselves at the disposal of officers appointed by himself. Parliament indeed questioned the legality of these commissions, and a new controversy sprang up as bitter and as lengthy as that which had raged over Hotham's right to occupy Hull.¹

Such controversy was of no practical importance whatever. The main question for the moment was whether the King would succeed in carrying his own party with him. Again and again, in the course of the past year, he had alienated his friends by engaging in plots with foreign powers or with discontented soldiers. If he would be at the head of a great party in England, he must rely upon that party alone. He must share its feelings and its prejudices. Yet even the Lords and gentry who had joined the King at York were by no means so active in his service as he could have wished. They were weary of Pym's dictation, and they were resolved not to submit their necks to the Puritan yoke, but they had no wish to provoke a civil war, and with all their hearts they detested those intrigues with the Irish Catholics and with foreign powers, the existence of which they could hardly help suspecting. If Charles was not to be isolated as he had been in 1640, he must throw himself, as far as his nature per-

¹ *Rushworth*, iv. 655.

mitted him to do so, entirely upon the loyalty of his English supporters.

It was this that Charles at last resolved to do. Yet even now, if he for a time took the right course it was rather because his intrigues had failed him than because he had made up his mind to abandon his intrigues. The news which reached him from beyond the limits of England in the first fortnight of June was

May 20. Charles appeals to the Scottish Council for help. not encouraging. Early in May he had made a fresh appeal for help to the Scottish Council.¹ He called on all the members of the Council on whom he could rely to attend at Edinburgh in order to cast their

votes on his side. They came according to the custom of their class and nation with armed retainers at their backs. The rumour spread that Argyle was in danger. At once thousands of sturdy peasants flocked over from Fife. Edinburgh and the

Lothians declared for Argyle. On May 31st a deputation, with the Earl of Haddington at its head, summoned the Council to keep peace with the English Parliament. The Council dared not disobey the popular

June 2. Refusal of Scotland. cry. On June 2 an answer was returned to Charles vaguely worded, but conveying an unmistakable intimation that if he quarrelled with the English Parliament he had no assistance to expect from Scotland.

Still less hopeful was the news from the Hague. The Dutch ambassadors for England had indeed been nominated,

News from the Hague. but it was understood that they would offer no mediation unless it were agreeable to both parties. Frederick Henry, finding that the stream of public feeling in his own country was against him, had withdrawn his countenance from the Queen's projects. Denmark and Bavaria, France and Spain showed no signs of helping her. For a time Henrietta Maria had clung to the hope that something might come of the King's journey to Ireland, and had proposed to join him there. That journey to Ireland was, however, now definitely abandoned, and the Queen remained at the Hague chafing at her enforced

¹ The King to the Scottish Council, May 9. The King's Declaration, May 20. Petition to the Council, May 31. The Council to the King, June 4, *Council Act Book*, Registry Office, Edinburgh.

inactivity, and wondering why it was that all men did not rise up in support of her righteous cause.¹

Under this discouragement Charles at last discovered that it would be better for him to show confidence in his own subjects than to put his trust in foreign aid.² He now strove to assure those who surrounded him that he would stand solely on the defensive. On June 13, he announced that

June 13.
The King's
declaration. he would maintain the liberties and the just privileges of Parliament, and 'that he would not, as was pre-

tended, engage them or any of them in any war against the Parliament, except it were for his necessary defence and safety against such as did insolently invade or attempt against his Majesty or such as should adhere to his Majesty.' To this the Peers at York replied that they would stand by the King's just prerogative, and would not obey any order respecting the militia which had not the Royal assent.

June 15.
Charles and
the Peers
protest that
they do not
mean war. Two days later Charles called on the Peers to join in a protest that no aggressive war was intended. They at once responded to his call. "We," they said, "whose names are underwritten, in obedience to his Majesty's desire, and out of the duty which we owe to his Majesty's honour and to truth, being here upon the place, and witnesses of his Majesty's frequent and earnest declarations and professions of his abhorring all designs of making war upon his Parliament; and not seeing any colour of preparations or

¹ See Rossetti's letters, and Zon's despatches for April and May.

² After describing the Queen's failure in the words printed at p. 177, note 4, Rossetti continues as follows: "Onde il Rè d'Inghiltera considerando bene la presente consideratione degl' interessi del mondo, scorge da ogni banda di poter poco sperare; ma se pure da alcuna delle predette parte potesse ricevere qualche aiuto di gente, penserebbe questo essergli di desvantaggio più tosto che di profitto, attesa l' avversione che quei popoli hanno naturalmente a forastieri, et anco per esser questi troppo dannosi, dubitandosi che i medesimi del partito del Rè, quando quelli l' introducessero nell' Isola, fassero per alienarsi da S. M^a, . . . per le quali cagioni ha deliberato di procurare con le forze naturali del Regno, e per via di negotiationi co' Principali dal Parlamento d' andar estenuando la fattione Parlamentaria e con la forza destramente mettersi in autorità et in atto di potere comandare."—Rossetti to Barberini, July $\frac{3}{13}$, *R. O. Transcripts*.

counsels that might reasonably beget the belief of any such designs, do profess before God and testify to all the world that we are fully persuaded that his Majesty hath no such intention, but that all his endeavours tend to the firm and constant settlement of the true Protestant religion; the just privileges of Parliament; the liberty of the subject; the law, peace, and prosperity of this kingdom." To this were subscribed the names of thirty-five Peers, and also those of Falkland, Nicholas, Culpepper, Sir Peter Wych, and Chief Justice Bankes.¹

The acceptance of Charles's declaration by the Peers was an event of no slight importance in English history. It laid the foundations of that great party which, under the management of Hyde, ultimately brought about the Restoration settlement, and which struggled in vain to maintain it after time had proved its hollowness.

For the time Charles and his supporters were bound together by the strongest of all ties, a common hatred. The immediate effect of the protestation of the Peers was absolutely nothing. No war was ever staved off by the declarations of both parties that they intend to stand on the defensive, if it were only because neither party is ever of one mind with the other upon the limits which separate the defensive from the offensive.

June 16.
The commissions of array to be executed.

The very day after the protestation was signed it was resolved to put in execution the Commissions of Array, and it was certain that Parliament would consider this a direct act of offensive warfare.

It was resolved to make a beginning with Leicestershire. The Parliamentary Lord-Lieutenant was the Earl of Stamford, an incompetent man of large estate. The leading spirit amongst the King's Commissioners was Henry Hastings, a younger son of the Earl of Huntingdon.

Condition of Leicestershire.

In the greater part of the county the feeling was in favour of Parliament, but the Mayor of Leicester and some members of the Corporation sided with the King.

On the 16th Hastings arrived at Leicester, hoping to get into his hands the county magazine of arms and munitions.

¹ *Clarendon*, v. 342.

To his disappointment he found that it had been removed to Stamford's house at Broadgate. In the absence of Henry Hastings at Leicester. the sheriff he persuaded the under-sheriff to issue warrants for the execution of commissions of array. He then went back to York, but returned on the 22nd, bringing with him a hundred armed miners from his collieries in Derbyshire, and as many other persons as he could persuade to follow him. He found that the county was against him. Scarcely a man of the trained bands would answer to his summons. When he entered Leicester he was confronted by Palmer, the high sheriff, who denounced his proceedings as illegal. An audacious messenger sent by Parliament to arrest him attempted to carry out the orders which he had received. Hastings, however, was rescued by his friends, and ultimately left the town.¹

In Leicestershire the King's Commissioners were in what can hardly be described otherwise than as an enemy's country. In Northumberland Charles was in no such difficulty. On the 17th the Earl of Newcastle took possession of Newcastle for the King. Levying soldiers amongst his own tenants and the trained bands of Northumberland and Durham, he secured Tynemouth Castle and erected fortifications at Shields. Charles had at last a port where he might receive supplies from Holland.² His supporters were jubilant. The King, wrote one of them, was now 'the favourite of the kingdom.' His enemies would doubtless raise an army against him. It was all the better. They would do enough to entail on themselves the forfeiture of their estates, which would then be bestowed on the King's good servants.³ Such was the spirit which was rising alongside of the constitutionalisms of Culpepper and Hyde.

At York all men were busy in preparing for that war which was now seen to be inevitable. If money and plate were pouring in at Westminster, the King's principal supporters entered no less zealously into an engagement to furnish him with 1,935

¹ Nichols, *History of Leicestershire*, iii. App. 22. *L. J.* v. 131, 142, 164.

² *L. J.* v. 170.

³ Wilmot to Crofts, June 22. *L. J.* v. 169.

horse, and to pay them for three months.¹ Such offers would not, however, constitute an army. By separating from London and his Parliament, Charles had cut himself off from those financial resources which were still left to him by the law. When he left Greenwich on his Northern journey, he had no more than 600*l.* in hand. That he had been able to maintain himself at all during the past months had been owing, not to the scanty resources of the public revenue, but to the munificence of a single Catholic peer. The Earl of Worcester, the Lord of Raglan Castle, was possessed of an estate valued at 24,000*l.* a year, a rental equivalent to more than 100,000*l.* at the present day. As a Catholic he was exposed to especial risks in the impending conflict, and if he had been himself indisposed to assist his sovereign, he could hardly fail to be dragged away by the impetuous zeal of his eldest son.

That son, Lord Herbert, far better known by his later titles of Glamorgan and Worcester, was a man of genius. He who divined the steam-engine a century before the days of Watt, now threw himself, with all the ardour of an enthusiast, into the cause of the King. Over him Charles exercised that wonderful charm which sprang from his gentleness and the consideration which he exercised towards those who accepted his sway. From time to time during the first weeks after the King had left Greenwich, Herbert supplied him with no less than 22,000*l.* from his own and his father's resources. Then, when open resistance to the Parliament seemed, to a Royalist so decided as Herbert, the only honourable course—in all probability in the early part of June—the heir of Raglan was busy in gathering all the money that it was in his power to collect, and at last found his way to York, to pour no less than 95,500*l.* into the exhausted treasury of his astonished master, whilst 5,000*l.* more followed in July.² Thus, and thus only, was Charles enabled to prepare for the field.

In the end of June, the activity of the Royalists was more

¹ Engagement, June 22, *S. P. Dom.*

² Dircks's *Life of the Marquis of Worcester*, 54, 330.

vigorous than ever. On the 30th Hastings was once more in Leicestershire, with an armed force and the notorious Lunsford in his train. At Ashby-de-la-Zouch, he announced his own appointment as High Sheriff of the county.¹ "We must look to our safeties," said Pym, when the news reached Westminster. The feeling of the House was that force must be met by force, and that troops must be despatched to Leicestershire. "This," wrote D'Ewes in his diary, "was a sad morning's work. . . . I, seeing all matters tending to speedy destruction and confusion, had no heart to take notes that afternoon." Again and again during the past month he had expressed in his written self-communings the horror with which he regarded the approaching war, and his distrust of the fiery spirits, as he termed them, who were persuading the House to defy the King, and to lay down principles of government which he knew better than anyone else to be very different from those which had been accepted in earlier centuries. Yet it was not mere timidity which kept D'Ewes fixed at Westminster. If his reverence for law and precedent drew him to the side of Charles, his Puritanism fixed him reluctantly by the side of Pym, and with him, as with so many of his contemporaries, the religious motive was the strongest.

More startling news than that from Leicestershire awaited the Houses. Northumberland informed the Lords that he had been dismissed from his office of Lord High Admiral. An ordinance was at once prepared, directing Warwick to continue in charge of the fleet in the Downs. Charles, indeed, had made arrangements for confiding it to Pennington. Letters had been despatched to the captains simultaneously with the order dismissing Northumberland, directing them to obey Pennington and not Warwick.

July 2. Pennington set out from York to assume the command, and travelled hard till he was near the Downs. The fleet accepts Warwick. Then he hesitated and waited for further information. On the 2nd Warwick came on board the flag ship, and

¹ C. J. iii. 646. D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 252 b.

summoned the captains to accept him as their Admiral. Five only stood out, but their crews gave them no support, and before the day was over the fleet had placed itself at the disposal of Parliament.¹

As Pennington had failed in the Downs, Hastings failed in Leicestershire. He wished to possess himself of the county magazine at Broadgate, but the popular feeling was too strongly against him, and he was compelled to content himself with proclaiming as traitors those who detained it from the King.²

Charles's attempt to get possession of the fleet and of the magazine in Leicestershire was accepted at Westminster as a declaration of war. At the request of the Commons, the Lords concurred in the appointment of a joint committee 'to take into consideration whatsoever may concern the safety of the Kingdom, the defence of the Parliament, and the prevention of the peace of the Kingdom, and opposing any force that may be raised against the Parliament.' In this committee, composed of fifteen members, five lords, Northumberland, Essex, Pembroke, Holland, and Saye, were joined with ten commoners, of whom the most conspicuous were Pym, Hampden, Fiennes, Holles, and Marten.³ In this committee of safety Parliament had at last the rudiments of a Government. It was evident that its first occupation would be of

July 4. Appointment of a committee of safety. a military nature. On the 5th it was known that a small vessel from Holland had brought to the Humber arms and ammunition from the Queen.⁴ The first thing to be done was to secure Parliament from interruption near at hand. Lord Mayor Gurney, who had actually published the King's commission of array in the City, was impeached, and by the 6th a vote had been agreed to by both Houses for raising, from London and the neighbourhood, a special army of 10,000 men for active service

July 5. News from the Humber. Impeachment of the Lord Mayor.

July 6. An army to be raised.

¹ *L. J.* v. 169, 178, 185. *Clarendon*, v. 376.

² D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 255 b.

³ *L. J.* v. 178. *C. J.* ii. 651. The other five were Sir W. Waller, Sir P. Stapleton, Sir J. Meyrick, Pierpoint, and Glyn.

⁴ *L. J.* v. 182.

The ordinance for organising the militia for the defence of each county was no longer deemed sufficient.¹

The spectre of civil war was visibly there before the eyes of all men. To the horror which its aspect created D'Ewes gave expression. "In respect of civil affairs," he said, "I dare be bold to say that the liberty and property of the subject were never so clearly asserted to them as they are at present. The main matter then which yet remains to be secured to us is the reformation of religion, and I desire that we may come to particulars in that. If a monarchy continue amongst us, there must of necessity remain a confidence from the subjects towards the Prince. For the town of Hull itself, I desire not that it should be delivered up to his Majesty, but that we might humbly supplicate his Majesty to appoint Sir John Hotham governor there, till other things were peaceably composed between his Majesty and us, and that he should not deliver it up but by his Majesty's command, signified to him by both Houses of Parliament."

No wonder that cries of "Well moved!" were heard on every side. No wonder too that a proposal which commended itself to the feelings of the House was rejected by its intelligence. It needed but little acquaintance with human nature to know that the King would never accede either to a Puritan Reformation of religion, or to the appointment of Hotham to the command of Hull. No one cared to answer the benevolent antiquary, and the House quietly passed to the consideration of matters of more practical importance.²

On the 8th news came in of increasing Royalist activity in the Western Midlands. Herefordshire had declared strongly against Parliament. In Worcestershire the sheriff, backed by Lord Coventry, was prepared to execute the commission of array. It was known on the following day that Lord Northampton had announced

July 8.
News of
fresh Royal-
ist move-
ments.

¹ C. J. ii. 653, 654.

² D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 259. I quote this speech in preference to Rudyard's, which seems to have been delivered soon after it, because D'Ewes goes more to the root of the matter.

his intention of pursuing the same course in Warwickshire. At York, the King had granted commissions for the raising of cavalry, and had himself taken up a position at Beverley at the head of a small force under the command of the Earl of Lindsey, whom he had appointed general of his army.¹ The Commons resolved that the army of 10,000 should at once be levied.² On the 11th the Houses concurred in a declaration that the King had actually begun the war.³ On the 12th Essex was appointed to command the Parliamentary army, and each member of the two Houses was called on to declare his readiness to live and die with the new general 'in this cause, for the safety of the King's person, the defence of both Houses of Parliament, and of those who have obeyed their orders and commands, and for the preservation of the true religion, laws, liberties, and peace of the Kingdom.'⁴ Incongruous as these phrases sound now, they were doubtless a true expression of the feelings of those who then uttered them.

This resolution was accompanied by a fresh petition to the King, imploring him to accommodate differences. Charles was not likely to pay heed to such a petition now. He hoped at last that the day had arrived when Hull would be in his hands. It was true that he had no more than 2,500 men with him at Beverley, and that no sane man could expect to capture a fortified town with so small a force. But it was not on force that Charles counted.

Shortly before his advance to Beverley, Digby had been with him bringing intelligence from the Queen. On Digby's return the small vessel in which he sailed was captured and carried into Hull. He assumed the air and language of a Frenchman, and for a little time escaped notice. Knowing that he could not long preserve his disguise, he demanded with rare audacity to be brought before the Governor. Throwing himself on Hotham's generosity, he revealed to him his name and purpose, and urged him to play a glorious part

June 11.
The King
demands the
delivery of
Hull.

Digby's
intrigue with
Hotham.

¹ *L. J.* v. 192, 202.

³ *L. J.* v. 201.

² *C. J.* ii. 663.

⁴ *Ibid.* v. 208.

in the restoration of peace to his country by surrendering Hull to the King.

To all this Hotham listened. He was no Puritan, and he had been pushed on, without much consideration, into the position which he now occupied. Digby's offers of Royal favour touched him, and he consented to surrender the place if the King would but attack it in person.

July 7.
Hotham
agrees to
surrender
Hull,

Charles had taken him at his word, and his advance to Beverley had been the result of the expectations thus held out. As usual, however, Charles procrastinated and lost the opportunity. During the four days that he remained at Beverley, Hotham had time to meditate on the difficulties of the enterprise to which he had hastily committed himself. He told Digby that his own garrison would never allow him to give up the fortress. Digby was allowed to escape, but the

July 11.
but changes
his mind.

gates of Hull remained closed to Charles.¹ The King rode off to Newark and Lincoln after despatching an angry summons to Parliament to give up the town. Hotham sat down to write a despatch, in which he took credit to himself for the discovery of a plot to betray Hull to the King.²

At Lincoln the King encouraged by his presence all who were inclined to resist the Militia Ordinance. He found much

July 15.
The King
at Lincoln

support amongst the gentry of the country, who promised to come to his aid with 400 horse. Money too, of which in spite of the liberality of Worcester and his son he was sorely in need, had been coming in at last.

Money
coming in.

The University of Oxford sent him 10,000*l.*, and the Cambridge University had spent 6,000*l.* in the Royal cause.³ On the 16th Charles was again at Beverley,⁴ where he found Holland with a petition from the Houses for accommodation. No messenger could have been more ill-fitted for the task assigned to him. Amongst the Royalist party Holland was justly despised as well as detested, and it was well known in the North that the loss of Court favour had been the motive

¹ *Clarendon*, v. 432. *

² *L. J.* v. 209, 217.

³ Nicholas to Roe, July 20, *S. P. Dom. Catalogue of moneys subscribed*, Aug. 5 (669, fol. 6).

⁴ *L. J.* v. 224.

which had driven him at last into opposition. He lay under the imputation of cowardice, as well as of vanity and greed. "I am in such a great rage with the Parliament as nothing will pacify me," wrote a lady in the North, on a false rumour that Holland had been appointed General of the Parliamentary forces, "for they promised as all should be well if my Lord Strafford's head were off, and since then there is nothing better. We hear strange news from London, which is that many have offered to keep horses for the Parliament to fight against their King, and that my Lord of Holland is general, which puts me in the most comfort that we shall have peace, for he hath had good fortune not to fight hitherto. I hope he will prove lucky still." The longing for peace was great indeed in every part of England. "Oh, that the sweet Parliament," the same lady had written in May, "would come with the olive-branch in its mouth, it would refresh and glad all our hearts here in the North. We are like so many frightened people. For my part if I hear but a door creak, I take it to be a drum, and am ready to run out of that little valour I have." In the South the desire for peace was no less, though the blame was thrown elsewhere. "The Queen," wrote Lady Sussex from Gorham-bury, "is pleased if she have so many favourites with her. I doubt we shall all fare the worse for it. So many heads together will be busy in their plots against us. God's power is above all, who I hope in mercy will yet keep us from the miseries we may expect."¹

Holland, unfortunately, was not likely to reap benefit from the pacific sentiments of his countrymen. Under no circumstances would Charles have been likely to return a soft answer to his message, and he may have been provoked by the sight of the messenger to impart a sterner tone to his reply. The terms which he demanded were the dismissal of the Parliamentary troops, the surrender of Hull and the fleet, the disavowal of any power to make laws without his consent, and the adjournment of Parliament to some place outside London. When all

July 19.
The King's
answer to
the petition
for an ac-
commoda-
tion.

¹ Margaret Eure to Sir R. Verney, June 20 (?). Lady Sussex to Sir R. Verney, July 3 (?), *Verney MSS.*

this had been done he would discharge his own troops, and discuss all differences in a Parliamentary way.¹

The time for such manifestoes was rapidly drawing to a close. Already, on the 15th, the first blood of the English Civil War had been shed at Manchester. As the towns-
July 15. The first blood shed at Manchester. men were engaged in carrying the Militia Ordinance into effect, Lord Strange, the heir of the Earl of Derby, a man of sustained loyalty and high courage, rode in amongst them at the head of a band of armed troopers. The towns-
July 17. Charles's movements. men were too weak to stand against his charge, and Richard Perceval, one of a number who were wounded in the struggle, died a few days afterwards of the injuries that he had received.²

Once more Charles tried the effect of his presence before Hull. This time the garrison sallied out, and the King's troops retreated before their assailants, not without loss.

Charles then proceeded to Leicester, where he arrived on the 22nd. Town and county alike refused to

assist him, and his demand for the surrender of the county magazine was made in vain. He was forced to a com-
July 22. promise, by which the arms were dispersed amongst

the inhabitants of the county, who were not likely to use them in his favour. Yet he was not without some gleams of hope. Though the freeholders were against him, some of the gentry took his side. Much to his delight, too, he secured the person of Bastwick, now a captain of the Leicester trained bands, and sent him off a prisoner to York.³

The actual number of troops at Charles's disposal was not

¹ *L. J.* v. 235.

² D'Ewes's Diary, *Harl. MSS.* clxiii. fol. 293 b (E. 108). *A very true . . . relation of the . . . passages at Manchester, Rushworth*, iv. 680. This last is a very different account from that given by D'Ewes. In it all the blame is thrown on the towns-
July 26
Aug. 5 men. It is sometimes said that men were killed at Hull before this, but as the sally from Hull is mentioned in Salvetti's letter of Aug. 5, it, no doubt, took place later.

³ Nichols, *Hist. of Leicestershire*, iii. App. 28. *Truths from Leicester and Nottingham* (669, fol. 6). Nicholas to Roe, July 27, *S. P. Dom.* *L. J.* v. 283. Forster to Chavigny, Aug. $\frac{4}{14}$, *Arch. des Aff. Étr.* xlix. fol.

great. Yet it was evident that in the North and West the bulk of the country gentlemen were disposed to rally to his cause, and the Parliamentary leaders felt that the time was come to provide against imminent danger. Already plate and money were being brought in large quantities. On July 30, Parliament resolved to borrow 100,000*l.*, which had been set aside for the Irish war.¹ On August 2, the Houses issued a declaration of their reasons for taking up arms. The strength of their case lay in their retrospect of Charles's past government, and of his plots and intrigues since Parliament had met. Its weakness lay in their answer to the charge that they were themselves setting up an arbitrary government, and were interpreting the law at their pleasure. Instead of replying that the necessity which had thrown on them the burden of government was none of their creating, they met the accusation with a direct denial. No rational man, they urged, would believe it to be true, 'it being impossible so many several persons as the two Houses of Parliament consist of—and either House of equal power—should all of them, or at least the major part, agree in acts of will and tyranny which make up an arbitrary government, and most improbable that the nobility and gentry of this kingdom should conspire to take away the law, by which they enjoy their estates, are protected from any act of violence and power, and differenced from the meaner sort of people, with whom otherwise they would be but fellow-servants.'²

It was a most inadequate defence. No unprejudiced person can go through the records of the Long Parliament without noticing countless occasions on which the temper and prejudices of the Commons were cast into the balance of justice. A Puritan clergyman and Laudian clergyman received very different measures at their hands. Arguments which would never have been listened to, if adduced against their own supporters, were accepted as unanswerable against a Royalist. It was not that the Long Parliament was especially arbitrary or tyrannical. It acted but as every large

Preparations
for war.

July 30.

Aug. 2.
Parliamentary
reasons
for taking
up arms.

Answer to
the charge
that Parlia-
ment is
setting up
an arbitrary
government.

How far was
it successful?

¹ *Rushworth*, iv. 778.

² *L. J.* v. 258.

body of men is certain to act, when it is called upon to fulfil judicial functions in political cases. Yet, after all, the Long Parliament, objectionable as many of its proceedings were, had fallen far short of the tyranny of the Star Chamber. It had deprived many clergymen of their benefices who were fitted to hold them, and had committed to prison many persons who had done no more than their duty according to their understanding. But it cut off no ears, and it inflicted no scourgings. Its imprisonments were usually short. Bristol and the Attorney-General and the impeached bishops had been set at large again after a few days, or at most weeks, of confinement. The remedy for the evil lay not in the substitution of an irresponsible King for an irresponsible Parliament, but partly in the establishment of that responsible ministry which Pym had sketched out; partly, too, in securing that responsibility of Parliament to the nation, through perfect freedom of speech and writing, which Pym did not think of proposing, and which amidst the clash of opposing forces he could hardly, even if he had thought of it, have ventured to propose.

In the beginning of August bad news poured in from all sides to Westminster. Goring had discovered that he had no place in Puritan society, and sought reconciliation with the King, whom he had betrayed in 1641, by betraying Parliament in 1642. He now held the important fortress of Portsmouth for the King. In Northampton in Warwickshire the Earl of Northampton was strong enough to stop some guns sent by Parliament to Lord Brooke for the defence of Warwick Castle. Hertford, appointed by the King to command in the West, had put himself at the head of a force raised by some of the gentry of Somerset. The Royalists were in high spirits. They reported that the Parliamentary army was weaker than it appeared, and that when it came to fighting many of the newly levied soldiers would desert rather than stand up against the King.

Better news reached Westminster ere long. In Shrewsbury the Parliamentary party had gained the upper hand. In Somerset the yeomen and manufacturers bore no good-will

Goring
seizes Ports-
mouth for
the King.

Northamp-
ton in
Warwick-
shire.

Aug. 3.
Hertford in
Somerset-
shire.

owards the gentry. Under the guidance of the Puritan gentlemen of the county, they mustered in such numbers as to make Hertford's position at Wells hopeless, though he was allowed to withdraw unmolested to Sherborne where he took up his quarters with about 900 men.¹

On August 9 the King proclaimed Essex and his officers traitors, though he offered a free pardon to all who should within six days throw down their arms. The Commons retaliated by calling upon every one of their members to swear that they would live and die with Essex. On the 12th the Lords pronounced sentence on Gurney, directing him to be imprisoned during the pleasure of the House, and depriving him of the mayoralty which had enabled him to do good service for the King. The Royalist Recorder, Sir Thomas Gardiner, had been already impeached.

Civil war was thus virtually begun. One unlucky member, when called on to take the oath to live and die with Essex, asked for a little time to consider his answer. He was told that it must be given at once. Plucking up courage, he refused to give the promise, but was so soundly rated by the Speaker, that he offered in his fright to answer with an Aye. He was told that his Aye would not be accepted now. Warned by the example, the few Royalist members who were still left in the House gave the promise required.² On the 18th a declaration was issued by the Houses denouncing as traitors all who gave assistance to the King.³

Every effort was made on the part of the Parliamentary leaders to carry on the war with energy. Directions had already been given to lay siege to Goring in Portsmouth, and to Hertford in Sherborne. Brooke had established himself in Warwick Castle, and had beaten off

¹ *L. J.* v. 278. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 159. *Clarendon*, vi. 3. Giustinian to the Doge, ^{July 29} Aug. 8, Aug. ⁵ 15, *Venice Transcripts*, *R. O.* A broadside gives the numbers of the men who appeared against Hertford as 15,000. A. Prowse to —, Aug. 8 (669, fol. 6).

² *Rushworth*, iv. 780. D'Ewes's Diary, *Harl. MSS.* clxiv. fol. 261 b.

³ *L. J.* v. 303.

Northampton. Hampden caught Lord Berkshire as he was preparing to execute the commission of array in Oxfordshire. Berkshire protested his innocence, and assured Hampden that he had done nothing. Hampden replied that he had been sent to prevent him from doing anything, and despatched him a prisoner to London. Cromwell did even better service by seizing the college plate as it was being sent away from Cambridge to enrich the royal army-chest.¹

That the King must take the field had been for some time resolved at York. The Royal Standard must be set up as the sign that all loyal subjects were to rally round their King in his march against the traitors ; but Charles's means were scanty, and as yet his troops were few.

There was much discussion what place should be chosen for the display. Lord Strange begged the King to take refuge in Lancashire. In that county, he said, his tenants and allies would soon enable him to support his master with a force of 10,000 men.² Others suggested York. The King's sanguine temperament gave the preference to Nottingham, though he had received but a cold reception in that town on two previous visits. He wished to open the campaign as near to London as possible, and he still hoped to hear that Hertford had made himself master of the western counties, and had been able to hold out a helping hand to Goring. On the 12th he issued a proclamation inviting his loyal subjects to rally round the Standard, which was to be set up on the 22nd at Nottingham.³

Charles was still unable to divest himself of the belief that his mere presence would turn all hearts towards him. On the 20th he appeared before the walls of Coventry and demanded admission. He was told that he might come in alone if he chose, but that he must not bring his soldiers with him. While he was attempting to force an entrance a sally from the town drove off his men, and some of his

Aug. 12.
The Royal
standard to
be set up.

Aug. 20.
Charles
summons
Coventry.

¹ Mountfort to Potts, Aug. Crane to Potts, Aug. 19 (incorrectly catalogued as Aug. 9). *Tanner MSS.* lxiii. fol. 116, 125. *L. J.* v. 307.

² *Memoirs of the House of Stanley*, 72.

³ *Clarendon*, v. 444. Proclamation, Aug. 12. *Bailey's Annals of Nottinghamshire*, App. vii.

followers were killed.¹ On the morning of the 22nd, leaving his troops behind him, he rode off for Nottingham.

Aug. 22. When he reached Nottingham in the afternoon, the Standard was borne out from the Castle. It had been entrusted to the charge of the Knight-Marshal, Sir Edmund Verney.² With the King were the Prince of Wales, the Duke of York, and the fiery Rupert, who, with his brother, had lately landed in England, to devote himself heart and soul to his uncle's service.

Even at this solemn moment Charles gave signs of that infirmity of purpose which weighed so heavily upon him. The Standard had been fixed in the ground, and the herald at

¹ Giustinian to the Doge, Aug. 26, *Venice Transcripts, R. O.*

² "The King," writes Verney's niece on the 23rd of her uncle, "hath given him the Standard." Dorothy Leeke to Sir R. Verney, Aug. 23, *Verney MSS.* This, and the letter from a gentleman printed by *Bailey*, 663, settles the question of the date of the erection of the Standard. *Bailey*—whose copy contains a serious misprint of "I came on Wednesday night last to Nottingham," instead of "I came on Wędnesday night last from the Court at Nottingham," as it stands in the original (669)—with some reason conjectures the author to have been John Hutchinson. At all events he was an eye-witness. Rushworth's description is copied from a pamphlet of the time, *A true and exact relation of the manner of His Majesty's setting up of the Standard at Nottingham, on Wednesday, the 22nd of August.* So at least the title stands in *Bailey's* reprint (665). Wednesday is no doubt a misprint, as the pamphlet itself states Monday, the 22nd, to have been the day. The curious thing is that the description of the Standard is entirely different in the pamphlet and in the letter. The only way of reconciling the two accounts is to suppose that the narrative in the pamphlet was made up in London from various sources of local information. The Standard which Verney carried at Edgehill must have been a different one from that which required twenty supporters, and the informant of the author of the pamphlet perhaps described this smaller banner. Clarendon's story of the Standard being blown down in the night after it was set up has been, of late, rejected as inconsistent with the narrative in Rushworth. After all, however, it appears to have been true, though Clarendon antedated the story for the sake of effect. In *Special Passages* (E. 115, 21) we are told that 'the Standard was this week blown down at Nottingham, and a flag set up.' Thomason's date for this pamphlet is Sept. 6; so that the Standard must have been up for more than a week before it was blown down.

arms was about to read a proclamation denouncing Essex as a traitor. A flourish of trumpets was to prelude this announcement. Before a note was sounded, Charles was struck with a suspicion that the wording of the proclamation might be in some respects defective. Calling for the paper, he corrected its phraseology.¹ The herald to whom it was returned had some difficulty in picking out the words so hastily inserted. When he had struggled hesitatingly to the end, those who stood around threw their hats into the air, shouting loudly, "God save King Charles and hang up the Roundheads," in a tempest of loyal emotion. The Civil War, which had been practically begun when Hotham shut the gates of Hull against the King, was now openly avowed. England was about to learn through suffering that wisdom which was to be found in neither of the opposing ranks.

¹ Readers of the despatches amongst the Foreign State Papers will be familiar with Charles's numerous verbal corrections, showing his sensitiveness in point of style.

APPENDIX.



I.

Financial Tables.

IT is, I fear, altogether impossible to obtain a complete account of the revenue due, and the expenditure incurred in each year. The amounts of revenue received and of payments actually made can easily be calculated; but they would serve no useful purpose, as a great part of them would consist in the former case of anticipated revenue of future years, and in the latter case of arrears due in former years. I am, however, able to give an analysis of the estimated revenue and expenditure for several years, which will give at least an idea of the financial situation. Besides the expenditure thus given there was always an extraordinary expenditure going on. Something, too, must be allowed for the variety of opinion in the estimators. Of the considerable increase shown in the year 1635, for instance, no less than 50,000*l.* is a mere matter of account, 20,000*l.* for interest being inserted, which had been taken as extraordinary expenditure in former years, and 30,330*l.* in the Cofferers' Account being balanced by the composition for purveyance entered for the first time as revenue, and not appearing before. A considerable number of the heads, as given in the MSS., have been put together in Tables, to make comparison easy.

1. *Comparative view of the estimated ordinary Revenue of the Crown.*

	1610. ¹	1614. ²	1619. ³	1623. ⁴	1635. ⁵
	£	£	£	£	£
Customs and Impositions . . .	247,810	242,788	284,900	323,042	328,126
Land and Feudal Revenue . .	144,154	130,474	157,744	170,608	192,340
Tenths and first-fruits of Clergy	16,000	16,000	18,072	18,137	19,359
Star Chamber fines . . . . .	...	1,000	1,400	1,400	3,904
Recusancy fines	9,000	6,000	6,300	5,000	13,408
Miscellaneous	44,561	25,634	19,568	21,716	30,852
Composition for purveyance . .	...	...	...	...	37,330
	461,525	421,896	487,984	539,903	618,379

2. *Comparative view of the estimated ordinary Expenditure of the Crown.*

	1610. ⁶	1614. ⁷	1619. ⁸	1623. ⁹	1635. ¹⁰
	£	£	£	£	£
Personal and Court	186,756	179,540	140,799	154,929	214,159
Queen	14,223	24,500	...	...	32,594
Royal Family	32,250	26,000	53,117	56,427	15,833
Queen of Bohemia and Family . . . . .	...	...	...	...	19,150
Navy	40,000	50,000	29,268	29,703	41,570
Fortis, ordnance, and gun- powder	21,033	14,960	23,740	23,655	20,537
Ireland	52,584	46,000	20,000	20,000	...
Garrisons in the Low Coun- tries	25,015	25,016	...	...	...
Judicial expenses and prisons	15,056	20,144	13,095	9,697	9,176
Ambassadors	7,200	12,000	12,000	15,333	20,200
Fees and annuities	94,192	104,860	103,213	116,527	178,038
Miscellaneous	29,238	19,920	47,128	63,870	65,279
Interest of money . . . . .	...	...	...	...	20,000
	517,547	522,940	442,360	490,141	636,536

¹ See *Lansd. MSS.* clxiv. fol. 505.

² See *S. P. Dom. James I.* cx. 35.

³ See *S. P. Dom. Charles I.* cccxiv. 84.

⁴ See *Lansd. MSS.* clxiv. fol. 507.

⁵ See *S. P. Dom. James I.* cx. 35.

⁶ See *S. P. Dom. Charles I.* cccxiv. 84.

⁷ *Ibid.* clxiv. fol. 135.

⁸ *Ibid.* clviii. 59.

⁹ *Ibid.* clxiv. fol. 135.

¹⁰ *Ibid.* clviii. 59.

3. *The King's Debts, July 30, 1635.*

Anticipations	370,000
Surplusages of accounts	100,000
Jewels in pawn	40,000
Navy	48,000
Wardrobe	83,655
Several persons	160,000
Ambassadors	32,000
Captains of castles and garrisons	22,000
Household	50,000
Posts	34,000
Ordnance	17,543
Robes	8,500
Captain Mason for colonels and captains	8,500
Arrears for fees, &c.	199,000

£1,173,198¹

4. *Extraordinary Payments from the accession of Charles I. to Easter, 1635.*

	£
Year ending Easter, 1626	364,426
„ 1627	469,391
„ 1628	585,448
„ 1629	407,006
„ 1630	301,067
„ 1631	217,356
„ 1632	198,296
„ 1633	114,663
„ 1634	123,503
„ 1635	66,441

£2,847,597

¹ In the MS. this is wrongly added up 1,163,655*l*. A debt owed to the Earl of Holland (fol. 34), for which he claimed 17,192*l*., is not included as being under dispute.

II.

Cases of Ministers suspended or deprived by the Court of High Commission, February 18, 1634, to May 19, 1636.

IT has been so often said that the High Commission deprived ministers in large numbers, that I have thought it worth while to draw up a list of all cases of deprivation or suspension during the period of two years and three months, for which the Act Books have been preserved (*State Papers Domestic*, cclxi., cccxxiii.). It should be remembered that these years begin very shortly after Laud's accession to the archbishopric, and they are therefore exactly the years in which the action of the Court would be likely to be most vigorous. The names in capitals are those of persons in respect of whom the sentence was wholly remitted. Those in italics are those of persons who subsequently, before May 19, 1636, received permission to continue the exercise of their ministry anywhere but in the cure held by them at the time of their deprivation or suspension.

1. Deposed from the Ministry.

1634. Mar. 3. Reginald Carew, for attempt to commit a rape.
 June 26. THEOPHILUS BRABOURNE, for promulgating the opinion that Saturday should be observed as the Sabbath.

2. Deprived of Benefice and suspended from the Ministry.

1634. Oct. 9. *Anthony Laphorne*, for omitting large parts of the service, and reviling his parishioners and the neighbouring clergy.
 June 4. Richard Murray, for acting as warden of a collegiate church without taking the prescribed oath, and for dilapidating the property entrusted to his charge.
 Nov. 20. Edmund Lyneold,¹ for refusal to conform.
 1635. Nov. 2. *Stephen Dennison*, for personal abuse of his parishioners.

¹ He was at first deprived of his benefice, but the sentence was changed to suspension on his expression of readiness to confer with his bishop. The result must have appeared in the succeeding volume, which has been lost.

3. *Suspended from the exercise of the Ministry.*

1634. Nov. 4. John How, for praying that the Prince 'might not be brought up in Popery, whereof there is great cause to fear.'
- Nov. 6. *Francis Abbott*, making a disturbance in church, and reviling his parishioners and the neighbouring clergy.
1635. Feb. 5. George Buidett, for preaching against the ceremonies, and refusing to bend the knee at the name of Jesus, &c.
- Feb. 19. Edward Prowse, for obtaining a presentation on false pretences.
- Apr. 25. John Workman, for preaching against dancing, declaring it to be idolatrous to possess a picture of the Saviour, &c.
- Nov. 12. William Frost, for drunkenness.
- Nov. 26. Samuel Ward, for attacks on the ceremonies and discipline of the Church.
- Nov. 26. CHARLES CHAUNCEY, for agitating against the removal of the communion-table in a parish not his own.

INDEX.

AEB

ABBEVILLE, Buckingham at, v. 332
 Abbot, George (*Bishop of Lichfield and Coventry*, 1609, *of London*, 1610, *Archbishop of Canterbury*, 1611); appointed Archbishop, ii. 121; supports the High Commission against Coke, 122; opposes Laud at Oxtord, 124; writes to Ellesmere on Legat's case, 129; betroths the Princess Elizabeth to the Elector Palatine, 160; is dissatisfied with the case of Lady Essex, 170; writes to the King against the Essex divorce, 171; popularity of, in consequence of his resistance, 174; refuses to appear at Somerset's marriage, 211; obtains an order for the arrest of Luisa de Carvajal, 222; urges the Queen to take the part of Villiers, 322; appointed a commissioner to examine Raleigh, iii. 141; becomes a Commissioner of the Treasury, 189; opposes the reading of the *Declaration of Sports*, 251; is present at Queen Anne's deathbed, 293; writes to Naunton in defence of intervention in Bohemia, 314; urges James to defend the Palatinate, 339; asks the clergy to contribute to the defence of the Palatinate, 340; wishes Yelverton to be heard before he is condemned, iv. 115; kills a keeper accidentally, 139; is pardoned, 140; receives De Dominis in his house, 284; asks questions in the Council about the Spanish marriage treaty, v. 67; letter against the Spanish treaty forged in the name of, 71; disavows the letter, 72; presents an address to the King from the two Houses, 196; is asked by the Commons to consider the complaint made against Montague's *New Gag for an Old Goose*, 353; remonstrates with Montague, 354; is dissatisfied with Buckingham, 418; asks the Commons to agree to the military and naval proposals of the Government, vi. 68; is required to circulate Charles's letter asking for prayers for the King of Denmark, 143; refuses to license Sibthorpe's sermon, 206; is ordered into confinement and deprived of his jurisdiction, 207; is restored to his seat in

ABO

Parliament at the instance of the Lords, 231; opposes the King's claim to imprison without showing cause, 258; persuades the Lords not to reject the Commons' resolutions, 259; says that he has heard that an Act of Parliament cannot destroy the Prerogative, 281; suggests a conference with the Commons on the Petition of Right, 287; advises the Lords to accept the Petition of Right, but to declare in favour of the King's just prerogative, 289; is restored to favour, vii. 23; consecrates a chapel at Dulwich, 243; takes part in the consecration of St. James's, Aldgate, 244; orders Page to abstain from writing against Prynne, 247; is a constant attendant in the Court of High Commission, 251; inveighs against a party of Separatists brought before the High Commission, 253; death of, 299; last report of, 300
 Abbott, Francis, makes a disturbance in a church, viii. 112
 Abell, Alderman, makes a bargain with the King on behalf of the Vintners' Company, viii. 286
 Aberdeen, a Dunkirk privateer takes refuge in, v. 79; Montrose sent against, viii. 358; attempt to enforce the signature of the Covenant in, 360; signature of the King's Covenant in, 365; Hamilton directed to join Huntly at, ix. 1; arrival of Montrose and Leslie at, 3; interview between Huntly and Montrose at, 4; capture of Huntly at, 5; the Gordons driven out from, by the Earl Marischal, 21; occupied and spared by Montrose, 16; is again spared by Montrose, 41; signature of the Covenant enforced by the Earl Marischal in, 148; brought to submission by Monro, 165
 Aberdeen doctors, the, opinions of, viii. 358; fly from Montrose, ix. 3
 Abington, Thomas, attempt to induce him to join the Gunpowder Plotters, i. 260; pardon of, 283
 Aboyne, Viscount, 1636 (James Gordon) escapes from Montrose, ix. 5; is sent by Charles to join Hamilton, 15; arrives at Aberdeen, 21; his proceedings at Aber-

ACT

- dean, 37; is defeated at the Bidge of Dee, 41; is chased through the streets of Edinburgh, 45
- Act of Revocation, the Scottish, vii. 277
- Adamites, sect of, x. 29
- Additional Instruction, the, moved by Pym, x. 55; amended, 56; revolutionary character of, 57; justification of, 58, the Lords postpone the debate on, 70
- Adluns, Alderman, imprisonment of, ix. 130; liberation of, 135
- Admiralty Court, the, proceedings against the East India Company in, v. 238, French prizes sent to London to be adjudicated on by, vi. 41; gives order for the release of the 'St. Peter,' 45
- Aerssens, Francis (*Lord of Sommeledijk*), presses Richelieu to undertake the siege of Dunkirk, vii. 367, is sent to England to explain the attack of Tromp on Onquendo's fleet, ix. 89
- Ainsworth, Henry, is a Separatist minister in Amsterdam, iv. 145
- Airlie, Earl of, 1639 (James Ogilvy), burning of the house of, ix. 167
- Alabaster, Dr., preaches a Spital sermon, vii. 55
- Albert, the Archduke, receives with the Infanta Isabella the sovereignty of the Netherlands, i. 104; refuses to give up Owen and Baldwin to James, 344; agrees to a cessation of arms in the Netherlands, ii. 21; attempt of Spain to procure the election as Emperor of, ii. 163; sends Spinola to invade Cleves and Juliers, 263; does not satisfy the Dutch by his mode of carrying out the treaty of Xanten, 308; receives Doncaster coolly at Brussels, iii. 301; urges the King of Spain to invade the Palatinate, 328; replies to James's question about the movements of Spinola's army, 351; criticises the English proposal for the partition of the Netherlands, 361; informs James that the destination of Spinola is not decided on, 366; promises to give his good word for the restoration of Frederick, iv. 189; orders Spinola to support Maximilian, 208, death of, 16
- Aldobrandino, Cardinal, introduces Lindsay to the Pope, i. 224
- Alehouses, the patent for, issued, iv. 4; inquiry into, 42; condemnation of, 110
- Alexander, Sir William, claims lands in Canada, vii. 155
- Alford, Edward, applauds Coke's attack on the monopolies, iv. 41; approves of James's proposed tribunal for trying Bacon's case, 69; asks for freedom of speech, 233; moves for a committee on the course of business, v. 341; declares that the King's servants are not free from Parliamentary inquiry, 400; declares that the Commons in 1624 had not engaged to attempt the recovery of the Palatinate, 412; is made sheriff to prevent his appearance in Parliament, vi.

ANA

- 33; is dismissed from the justiceship of the peace, 126; asks what the subject will benefit by the confirmation of the statutes without explanation, 272; gives an explanation of sovereign power, 280
- Algiers, piracy at, iii. 64; proposed expedition against, 69; coolness of the Spaniards towards the proposed expedition to, 106; money levied to fit out a fleet against, 288; abandonment of the idea of sending an expedition to, 301; the Spanish Government agrees to join James in an attack on, 322; a fleet got ready for an attack on, 374; sailing of Mansell's fleet against, 375; is attacked by Mansell's fleet, iv. 224
- Aliaga, Luis de, carries on with Digby the negotiations for the Infanta's marriage, iii. 102; joins Uzeda in overthrowing Lerma, 278; opposes the invasion of the Palatinate, 329
- Alington, Sir Giles, is punished by the High Commission for marrying his niece, vii. 251
- Allegiance, the oath of, drawn up by Parliament, i. 288; difference of opinion amongst the Catholics on the lawfulness of taking, ii. 16; Charles hopes to induce the Pope to allow Catholics to take, viii. 133; suggestion that Catholic peers need not take, ix. 83
- Alleyne, Captain, looks out for French ships building in Holland, vi. 187
- Alleyne, Edward, founds Dulwich College, vii. 243
- Almond, Lord, 1633 (James Livingstone), signs the Bond of Cumbernauld, and is appointed second in command over the Scottish army, ix. 182; is named by the King as Treasurer of Scotland, x. 21; is asked to withdraw his claim, 22, his part in the Incident, 24
- Alsace, arrival of Frederick and Mansfeld in, iv. 319; ravages of Mansfeld in, 338; the French occupy posts in, 347; the Duke of Feria occupies the south of, 348; importance of the possession of, 16
- Altar, opinion of Andrewes on the use of the term, vii. 16
- Altei, capitulates to Spinola, iii. 369
- Ambosyna, the massacre of, sufferings of the English merchants by, v. 242; orders given to take reprisals for, 277; the Dutch express their willingness to bring to trial the perpetrators of, 324; Dutch East Indians seized in reprisal for, vi. 188; promise of the Dutch to investigate the truth about, 342
- Ambrose, Dr., attempts to read the English service at Hamburg, vii. 314
- Ames writes the *Frest suit against human ceremonies*, vii. 315
- Amsterdam, Separatist congregation at, iv. 145; the Queen sells or pawns jewels at, x. 201
- Anabaptists, inability of the Church courts of Canterbury to suppress, ix. 81; burial of one of their number, 16

ANC

- Ancre, Marshal of (Concino Concini), murder of, iii. 109
- Anderson, Chief Justice, is quoted by Heath in the five knights' case, vi. 215; Shulton's quotation from the reports of, 243; production of a report written by his own hand, 244
- Anderson, Sir Henry, violent conduct of, viii. 78
- Andover, Lord (Thomas Howard), is sent to England with the news that the marriage treaty between Charles and the Infanta is agreed on, v. 63
- Andrewes, Launcelot (*Bishop of Chichester* 1605, of *Ely* 1609, of *Winchester* 1619), character of, ii. 120; votes for the Essex divorce, 173; urges Weston to confess, 340; resemblance between his style and that of *The Peacemaker*, 183; becomes a Commissioner of the Treasury, 189, contrasted with Laud, iii. 244; preaches at the opening of James's third Parliament, iv. 25; gives an opinion of the religion of De Dominis, 288; reports in favour of Montague's book, vi. 64; his opinion on the sacrifice in the Eucharist, vii. 76; consecrates a chapel near Southampton, 243
- Andrews, George, *Dean of Limerick*, penal promotion of, to the Bishopric of Leighlin and Ferns, viii. 53
- Anglesea, Countess of, informs the Duchess of Buckingham of her husband's murder, 350
- Angoulême, Duke of, establishes himself near Rochelle, vi. 175; demands the surrender of Rochelle, 177
- Anne of Austria, Queen of France, receives Buckingham's addresses, v. 332, attempts to ruin Richelieu, vii. 184; writes to Henrietta Maria on behalf of Lady Purbeck, viii. 146. *See* Anne, the Infanta
- Anne of Denmark (Queen Consort of England), refuses to receive the communion at her coronation, i. 116; is secretly a Catholic, and receives presents from the Pope, 142; wishes for a Spanish marriage for her son, 220; sympathises with Raleigh, ii. 40; dislikes her daughter's marriage with the Elector Palatine, 161; is accustomed to hear mass, 225; urges the King to appoint Villiers Gentleman of the Bedchamber, 323; begs James not to insist on pardoning Somerset, 330; illness and death of, iii. 293; verses written by her husband on, 295
- Anne, the Infanta, proposed marriage of, with Prince Henry, i. 220, 343, ii. 23, 138; is engaged to Louis XIII., 139. *See* Anne of Austria
- Annesley, Lieutenant, insults Wentworth, viii. 186
- Annesley, Mr., drops a stool on Wentworth's foot, viii. 186
- Annesley, Sir Francis, takes part against Falkland, viii. 20; is appointed a member of the committee of investigation

APS

- into the case of the Byrnes, 23. *See* Mountnorris, Lord
- Annual Parliaments Bill, brought in by Strode, ix. 253, turned into a Triennial Bill, 282
- Anspach, Margrave of, commands the troops of the Union, iii. 368
- Anstruther, Sir Robert, sent to Denmark to borrow money for Frederick, iii. 334; is sent back to Denmark for another loan, 386; obtains a loan from Denmark, iv. 180, is sent to the Princes of North Germany and the King of Denmark, v. 174, 247; negotiates with Christian IV., 291, wins over some of the North German princes, 293; reports the terms proposed by Christian IV., 299; raises a little money for the garrison of Stade, vi. 290, is told to inform the King of Denmark that Charles's aid is postponed, 372; language used by Christian IV. to, vii. 101; is sent to Ratisbon to negotiate with the Emperor, 173; is sent to Vienna, 178; attempts in vain to obtain the revocation of the Edict of Restitution, 181; obtains from Quiroga a knowledge of the Spanish demands, 187; is recalled to England, 205; is sent to offer aid to Oxenstierna, 215; receives communications from the princes at Heilbronn, 342, is sent to urge the League of Heilbronn to make peace, 354; receives a rebuff from Oxenstierna, 374
- Anti-Calvinist reaction, the, character of, v. 356
- Antinomianism, action of the High Commission against, vii. 252
- Antiim, resistance to the maintenance of soldiers in, viii. 15
- Antim, Earl of, 1636 (Randal MacDonell), proposal that he may bring an Irish force against the Scottish Covenanters, viii. 344; his capacity as a leader criticised by Wentworth, 353; Wentworth reports adversely of the military qualities of, ix. 8; is instructed to join Ormond in seizing Dublin Castle, x. 7
- Antwerp, the Truce of, signature of, ii. 29; expiration of, iv. 186
- Apologeticus*, written by Bastwick, viii. 227
- Appello Cesarem*, written by Montague, v. 354; is called in by proclamation, vii. 23
- Apprentices, the London, attack on Lambeth Palace by, ix. 133; appear at Westminster to protest against the King's journey to Scotland, 416; attack Praise-God Barebone, x. 105; insult the bishops in Palace Yard, and are driven by Lunsford out of Westminster Hall, 117; are left in the City when the five members return to Westminster, 149
- Apsley, Sir Allen, shares in victualling the fleet for the expedition to Cadiz, vi. 23; remonstrates with Buckingham on the release of the 'St. Peter,' 46; is probably the suggester of the forced loan, 143

ARC

- does not produce the imprisoned members in the King's Bench, vii. 95
- Archer, John, torture and execution of, ix. 141
- Aremberg, Count of, intercourse of, with Cobham, i. 117; asks James to mediate between Spain and the Dutch, 206; takes part in the conferences for a peace between England and Spain, 208
- Argall, Samuel, his abduction of Pocohontas, iii. 157; tyranny of, as Governor of Virginia, 159; *see* Argall, Sir Samuel
- Argall, Sir Samuel, captures French and Dutch vessels, vi. 12; advises Cecil to land at St. Mary Port, 15; reports that an attack on the ships in Cadiz harbour is impracticable, 20
- Argyle, 7th Earl of, 1584-1638 (Archibald Campbell), takes service in the army of the King of Spain, vi. 72; position of, in Scotland, viii. 358
- Argyle, 8th Earl of, 1638 (Archibald Campbell), character and position of, viii. 372; keeps his seat in the Assembly of Glasgow when it is dissolved by Hamilton, 373; defends the proceedings of the Scots in a letter to Laud, 391; excuses himself from visiting Charles at Berwick, ix. 46; political revolution effected in Scotland by, 53; is entrusted with the defence of the Western Highlands, 148; advocates the holding of a session of Parliament in defiance of the King's order for a prorogation, 150; makes a raid against the Earls of Athol and Airlie, 166; imprisons Athol and burns Airlie House, 167; ravages the Highlands, 168; proposed appointment of, as a dictator, 181; charge brought by Montrose against, 196; attempt made by Hamilton to win over to the King, 405; the execution of Stewart of Ladywell establishes his authority in Scotland, 411; demands that no offices shall be filled without Parliamentary consent, x. 19; attacks the King's choice of Morton as Treasurer, 20; causes of the influence of, 21; project formed for arresting, 23; takes flight from Edinburgh, 25; consolidation of the power of, 80; becomes Marquis of Argyle, 80; *see* Lorne, Lord; Argyle, Marquis of
- Argyle, Marquis of, 1642 (Archibald Campbell), prevents the Scottish Council from declaring in favour of Charles, x. 194
- Ariosto's 'Orlando Furioso,' i. 41
- Armada, the Spanish, defeat of, i. 16
- Armagh, Chichester's settlement of, i. 386; is taken by Phelim O'Neill, x. 92
- Arminianism, rise of, in the Netherlands, iii. 258; is proscribed by the Synod of Dort, 260; spread of, in England, iv. 347; complaint of the Commons that favour is shown to, vi. 316; Prynne wishes to silence the preachers of, vii. 14; Montague disclaims any wish to uphold, 23; Rouse's description of, 35; resolution of the Commons against, 41; resolution

ARM

- voted by the Commons against, 75; favour shown by Frederick Henry to, vii. 165
- Armstrong, Archie, is discharged from the King's service for railing at Laud, viii. 335
- Army Plot, the first, formation of, ix. 308; is betrayed to the Parliamentary leaders, 317; is urged on by the Queen, 324; Pym reveals his knowledge of, 357; a committee formed to investigate, 358; evidence taken on, 374; report of the committee on, 384
- Army Plot, the second, Charles engages in, ix. 398; failure of, 400; Chudleigh's examination on, x. 2; examinations concerning, read in the Commons, 42; further evidence about, 73; the Commons express their belief in its existence, 74
- Army, the English, in the first Bishops' War, proposed numbers of, viii. 384; condition of, ix. 10; reinforcements ordered for, 17; encamps near Berwick, 22; actual numbers of, 24
- Army, the English, in the second Bishops' War, resolution taken to levy men for, ix. 84; that law exercised in, 152; condition of, 157; distrust of Catholic officers in, 159; disorderly conduct of, *ib.*, desertions from, 160; Astley's report of the condition of, 164; attack on Catholic officers in, 172; communion-rails pulled down by soldiers of, 176; weakness of, 185; trained bands and tenants by knights' service ordered to reinforce, 188; is divided into two parts, 192; rout of part of, at Newburn, 194; Strafford's complaint of the bad condition of, 195; reunion of, 197; Vane reports an improvement in the state of, 201; is reviewed by the King, 203; reinforcements preparing to join, *ib.*; dismissal of Catholic officers from, 243; money irregularly sent to, 254; a plan formed to obtain a petition from, 399; is irritated with the Commons on account of the transference to the Scots of money voted for its use, 312; plan for placing Newcastle and Goring in command of, in order that it may be brought up to support the King, 313; letter from the officers of, protesting their willingness to fight the Scots, 314; Charles inclines to the plan for obtaining a petition from, 315; Goring urges that the Tower must be seized by, 316; Charles rejects the plan for bringing up, 317; expresses its readiness to obey Goring, 324; fear in the Commons of the intervention of, 325; Charles sends money to, and is believed to purpose leading it against those who resist his authority, 342; proposal to bring to London, 343; alleged intention to send munitions of war to, 356; Conyers and Astley sounded on the possibility of bringing to London, 398; petition drawn up in the name of, 399; Holland succeeds Northumberland in command of, x. 2; disbandment of, 6

ARM

Army, the Irish, resolution taken to levy, ix. 96; Strafford suggests the employment of, in England, 122; feelings of Englishmen at the prospect of an invasion by, 126; is ordered to rendezvous at Carrickfergus, 156; Strafford appointed commander of, 183; complaint in the House of Commons of the preponderance of Catholics in, and of the seizure of Londonderry by, 254; fresh report of Erle on, 255; Vane declares that it should be kept on foot till the Scottish army is disbanded, 26; Erle reports that Strafford is still in command of, 289; alleged intention of landing it at Milford Haven, 26; charge brought against Strafford of intending to bring over, 318; Charles again refuses to disband, 323; reiterated demand of the Lords for the disbandment of, 325; fresh charges against Strafford in connection with, 26; proposal to bring to Portsmouth, 343; Charles once more refuses to disband, 344; Charles promises to disband, 374; is to be brought together again to seize Dublin Castle, x. 7, is broken up, 20

Army, the Parliamentary, the Houses vote for the raising of, x., 209; its levy ordered, and Essex appointed general of, 211

Army, the Scottish, is collected at Dunglas, ix. 22; occupies Kelso, 27; encamps on Dunse Law, 30; prepares for the invasion of England, 169; is posted at Choiselee Wood, 180; is believed in Northumberland not to be ready to invade England, 182; the way open for an invasion of England by, 184; invades England, and conducts itself well in Northumberland, 189; routs Conway at Newburn, 194; occupies Newcastle, 195; occupies Durham and the line of the Tees, 197; supplication that their grievances may be redressed with the advice of an English Parliament sent to Charles by, 201; demands a contribution from Northumberland and Durham, 203; defeat of a party of horse belonging to, 206; demand of 40,000*l.* a month made for the support of, 211; agreement that the Northern counties shall support, until peace is concluded, 214; Charles unable to dissolve the Long Parliament unless he can make payment to, 219; hardships endured by the Northern counties from, 294; receives money assigned to the English army, 308; day fixed on which it is to recross the Tweed, x. 1; is reviewed by the King, 5; recrosses the Tweed, and disbands, 6; dismissal of the last remnants of, 20

Armyn, Sir William, is appointed a Parliamentary Commissioner to attend the King in Scotland, x. 4

Articles of Perth, the five, are proposed by James, iii. 222; postponement of the consideration of, 223; James's speech in recommendation of, 228; postponement

ARU

of the consideration of four of, 229; opposition to, 234; adoption of, 236; enforcement of, 237; fresh attempt to enforce, vii. 274; receive Parliamentary confirmation, 275; partial suspension of, 278; continued opposition to, viii. 305; Charles abandons, 363; the Assembly of Glasgow abolishes, 373

Articles, the Thirty-nine, partial subscription to, authorised by Parliament, i. 32; declaration prefixed by Charles to, vii. 21; acknowledged by the Commons in the form accepted by Parliament in Elizabeth's reign, 41; dispute about the authority ascribed to the Church in, 48; are adopted by the Irish Convocation, viii. 53

Artificers' petition, the, x. 162

Arundel, Countess of, accompanies Charles and Henrietta Maria from Dover to Canterbury, v., 334; hurries on a marriage between her son and Elizabeth Stuart, vi. 72; speaks to Con of the improved position of the Catholics, viii. 242

Arundel, Earl of, 1604 (Thomas Howard), restitution of his title, i. 108; visits Raleigh on board the 'Destiny,' iii. 57; moves that the examinations in Bacon's case may be brought in, iv. 89; asks that Bacon may not be summoned to the bar, 93; protests against a proposal to deprive Bacon of his peerage, 102; quarrels with Lord Spencer, 114; wishes Yelverton to be condemned without being heard, 115; is sent to the Tower, 116; becomes Earl Marshal, 137; goes to Ghent to attend the deathbed of his son, v. 69; votes against war with Spain, 178; opposes Buckingham, vi. 71; is sent to the Tower for conniving at his son's marriage, 72; his case taken up by the Peers, 91; is removed to his own house, 92; Charles is angry at the message of the Peers about, 108; liberation of, 115; is sent back into confinement, 123; is restored to his seat in Parliament at the instance of the Lords, 231; proposes modifications in the Commons' resolutions on imprisonment, 259; wishes to find a formula which will leave the King a discretionary power of imprisonment in cases of necessity, 277; draws up an amendment to the Petition of Right, 279; proposes a declaration to the King, 288; is restored to favour, 335; is restored to his place in the Council, 371; is selected for an embassy to Vienna, vii. 102; is sent by Charles to invite Elizabeth to England, 208; argues in favour of the eastern position of the communion-table, 311; is selected to be ambassador to Vienna, viii. 102; shows his pictures and statues to Panzani, 136; receives instructions for his embassy to the Emperor, 158; arrives at Vienna, 159; on the rejection of his terms, asks to be recalled, 160; is recalled, 163; returns to England, and

ASH

argues in favour of a French alliance, 202; speaks harshly to the Vintners' Company, 286; is entrusted with the fortification of the Border fortresses, 349; votes for war with Scotland, 350; appointed General of the army in the first Bishops' War, 385; disapproves of the letter written by the Covenanters to Essex, ix. 12; reads the King's proclamation at Dunse, 23; conferences for peace in the tent of, 38; is appointed to command the forces south of the Tient, 191; thinks it strange that the Scots should be asked to join in reformation of religion, 202; appointed Lord Steward of the Household and Speaker of the House of Lords, to preside over Strafford's trial during Lyttelton's illness, 302; protects Vane from improper questions, 320; is called upon by a mob to do justice on Strafford, 349

Ashburnham, John, is sent to Paris to make overtures of peace, vi. 181

Ashburnham, William, wishes the army to present a petition in support of the King, ix. 308

Ashby-de-la-Zouch, Henry Hastings at, x. 208

Ashley, Serjeant, argues that the question of imprisonment is too high to be settled by a legal decision, vi. 257

Assembly of divines, nominated by the House of Commons, x. 190

Assembly of the Church of Scotland, the General, approves the second Book of Discipline, i. 47; negotiations of James with, 68; assents to the King's plan for a clerical representation in Parliament, 72; resists James's wish to appoint bishops, 76; James wishes to forbid the meetings of, 303; meets at Aberdeen, 306; is prohibited from meeting, 308; meets at Linlithgow, and gives no support to Melville and Forbes, ii. 30; accepts episcopacy, 102; authorises the preparation of a new Prayer Book, 221; meets at St. Andrew's, and agrees to one of the King's five articles, 229; meets at Perth, and adopts the others, 234; its meeting authorised by Charles, viii. 360; dispute as to the constitution of, 361; Hamilton's instructions about the elections to, 362; is summoned to meet at Glasgow, 363; election of, 365; representative character of, 366; meets at Glasgow, 368; elects a Moderator and clerk, 369; declares itself constituted, 370; is dissolved by Hamilton, but remains in session, 371; re-establishes Presbyterianism, 373; elections ordered for, ix. 44; Charles directs the bishops to protest against the legality of, 48; meets at Edinburgh, and abolishes episcopacy, 49; protest of Traquair of the sense in which the King consents to the abolition of episcopacy by, 50

Asti, Treaty of, iii. 49

Astley, Sir Jacob, sent to the North to

BAC

muster the trained bands, viii. 333, reports unfavourably of his soldiers, 164; gathers troops at Selby, 185; joins Conway at Newcastle, 192; attempts to rally his men on the hill opposite Newburn, 194; evacuates Newcastle, 195; dislikes being superseded by Goring, 324; is sounded on the feasibility of bringing the army to London, 398; refuses to have to do with the second Army Plot, 400

Aston, Lord (Walter Aston), is sent as ambassador to Madrid, viii. 83; *see* Aston, Sir Walter

Aston, Sir Walter, sent as ambassador to Spain, iii. 326; inquires whether Philip IV. means to go on with the marriage treaty, iv. 190; repeats the words which had been used by Philip in assurance of his intention to proceed with the treaty, v. 52; objects to the proposal to educate the Electoral Prince at Vienna, 108, expresses astonishment at a letter of Philip III. read by Olivares, 112; *see* Aston, Lord

At a solemn music, Milton's lines, vii. 270

Athol, Earl of, 1629-1642 (John Murray), is attacked and imprisoned by Argyle, ix. 166

Attainder of Strafford, the Bill of, proposal of, ix. 329; first reading of, in the Commons, 330; second reading of, 335; is discussed in committee, 336; third reading of, 338; is read a second time in the House of Lords, 341; St. John's argument on the legality of, 344; gains ground in the House of Lords, 345; is read a third time in the Lords, 361; deputations from the Lords urge Charles to assent to, 363; the Royal assent given to, 367

Aubrey, Christopher, charges Bacon with bribery, iv. 58

Augsburg, Peace of, ii. 88; entry of Gustavus into, vii. 197

Austria, spread of Protestantism in, iii. 262; Maximilian's invasion of, 367; rising of the peasants in, vi. 139

Austria, the House of, fortunate marriages of, iii. 261; renewed alliance between the two branches of, vii. 353

Aylesbury, burning of houses by mutineers at, ix. 133

Ayr, alleged to be the spot where the Irish army was to have landed, ix. 320

Aytana, Marquis of, overpowers the revolutionists in the Spanish Netherlands, vii. 347

BABWORTH, Clifton's preaching at, iv. 147

Bacon, Sir Francis, his tract on the memory of Elizabeth, i. 12; distrusts Presbyterianism, 23; his scheme for the pacification of the Church, 146; political abilities of, 164; comments on the proposed title of King of Great Britain, 177; is capable of reconciling James

BAC

and the Commons, 194, becomes a King's Counsel, 195, completes *The Advancement of Learning*, 297; advocates the grant of supply, 278, hopes to become Solicitor-General, 299, is passed over, 300, speaks in favour of a union with Scotland, 332, becomes Solicitor General, 340, gives advice on the plantation of Ulster, 435; speaks at a conference on the commutation of feudal tenures, ii. 68; takes part in the debate on impositions, 76, 78; his opinion on Legate's case, 129, offers to become Secretary after Salisbury's death, 146, argues against Whitelocke, 189, his theory of government, and moral character, 191; advises the King to call another Parliament, 201; gives his opinion on the mode in which Parliament is to be met, 204; applies in vain for the Mastership of the Wards, 206; advises the appointment of Coke to the Chief Justiceship of the King's Bench, 207; becomes Attorney-General, 208; gives a masque at Somerset's marriage, 210; his opinion on the right way of dealing with Sutton's Hospital, 214; is permitted to sit as Attorney-General in the House of Commons, 236; attempts to persuade the Commons to give up the inquiry into the Undertakers, 238; failure of his attempt to reconcile the King and the Commons, 250; his charge against St. John, 269, is present at Peacham's torture, 274; advises the King on Peacham's case, 277; applies to Coke for his opinion, 278; tries to conceal Coke's opinion, 280, his view of Owen's case, 304, takes part in the examination of Cotton, 347; his opinion on the evidence against Somerset, 348; prepares himself to prosecute, 352; conducts the prosecution of Somerset, 354; writes to the King on the policy to be adopted in order to meet Parliament successfully, 366; advises a proclamation to forbid the wearing of silk, 389; view taken of the constitutional position of the judges by, iii. 2; produces a writ *de rege inconsulto*, 7; his argument in support of it, 9; writes to the King on Coke's attack on Chancery, 12; directs Coke not to proceed with the case of commendams, 14; gives an opinion on the judges' oath, 17; becomes a Privy Councillor, 19; his advice to Sir G. Villiers, 28; assists Villiers, 31; obtains from Montague an engagement to admit Heath and Shute to Roper's office, 35; converses with Raleigh on his scheme for securing the Mexico fleet, 48; his views on the Spanish alliance, 62; proposes additional instructions to Digby, 63; becomes Lord Keeper, 78; takes his seat in Chancery, 82; corresponds with Buckingham, 83; hears of the marriage proposed for Sir John Villiers, 88; quarrels with Winwood, 89; remon-

BAC

strates with Buckingham, 90, writes to the King and Buckingham about the affair of Frances Coke, 93; is forced to apologise, 94, cause of Buckingham's dissatisfaction with, 96; is restored to favour, 97, becomes Lord Chancellor, and Lord Verulam, 102 (*Lord Verulam*, 1618-1621), appointed a Commissioner to examine Raleigh, 141; draws up the King's Declaration on Raleigh's proceedings, 152; becomes a Commissioner of the Treasury, 189; draws James's attention to the state of the finances, 196; his opinion on Suffolk's interception of money intended for Ireland, 209, supports Shute's candidature for the Recordship, 217; calls attention to the falling off of the recusancy fines, 282; prepares a draft proclamation for summoning Parliament, 378; speaks of the prerogative as the perfection of the common law, 380, his opinion of Cadenet, 390; becomes Viscount St. Alban, 393 (*Viscount St. Alban*, 1621-1626); Ben Jonson's lines on the birthday of, *ib.*; writes the *Novum Organum*, 394; philosophical and political position of, 395, foreign policy of, 397, is connected with the grant of monopolies, iv. 2; is consulted on the patent for inns, 3; part taken by, in the monopoly of gold and silver thread, 13, suggests that bonds shall be taken not to sell unlicensed gold and silver thread, 17; confirms Yelverton's committal of the silk-mercers, 18, protectionist policy advocated by, 19; advises the withdrawal of some of the patents, 20; tells Mandeville that wood is dear at Newmarket, 24; replies to the charges against the referees, and is called to order, 50; asks the King to protect him, 53; is blamed for his practice in issuing bills of conformity, 57; is charged with taking a bribe from Aubrey, 58; and from Edward Egerton, 60; believes the charges to be trumped up, 66; appeals to Buckingham for support, 67; illness of, 68; James recommends the appointment of a new tribunal to try the case of, *ib.*; asks the Lords for time to answer his accusers, 72, history of his connection with Lady Wharton's case, *ib.*; discussion of his alleged corruption, 78, further charges brought against, 81; regains his cheerfulness, 82, Buckingham abandons the defence of, 87; his memoranda on his conduct, 88; has an interview with the King, *ib.*; evidence reported to the Lords against, 89; writes to the King, 90; relinquishes his defence, 91; submits to the Lords, 92, asks leave to explain special points 94; comments on the charges against him, 95; acknowledges that he has been guilty of corruption, 99; surrenders the Great Seal, 101; is sentenced, 102; estimate of the career of, 104; causes of his failure, 105; monarchical theories of,

BAC

- 107; imprisonment and release of, 132; writes the *History of Henry VIII.*, 16; jets at Mandeville's loss of office, 227; refuses to sell York House, 277; is pardoned, and has his fine remitted, but is not allowed to live in London, 16; gives up his house, and is permitted to come to London, 278; his name removed by Charles from the list of Privy Counsellors, v. 319; death of, vi. 121; extract from his essay on innovations, 313
- Baden-Durlach** George Frederick, Margrave of, raises an army, iv. 294; joins Mansfeld against Tilly, 309; is defeated at Wimpfen, 320; offers to join Mansfeld with an army, 313; is defeated at Heilgenhafen, vi. 186
- Bagge**, Sir James, shares in victualling the fleet for the expedition to Cadiz, vi. 23; becomes a partner in the Vice-Admiralty of Devon, 144; writes that he has no money to buy provisions for the expedition at Rhé, 191; cannot account for money owing to the soldiers, 218; case of, in the Star Chamber, viii. 89; escapes punishment, 91
- Bailey**, Captain, deserts Raleigh, iii. 114
- Baillie**, Robert, his position in the Scottish Church, viii. 312; regrets the violence of the rioters, 321; describes the condition of the army on Dunse Law, ix. 31; publishes *Ladensium αυτοκρατορις*, 140; compares the Protestation to the Covenant, 354
- Balanqual**, Walter (*Dean of Rochester*, 1625, of *Durham*, 1639), writes the *Large Declaration* and becomes Dean of Durham, viii. 391; flies from Durham, ix. 197
- Balfour**, Sir James, is ordered to read the King's proclamation at Edinburgh, ix. 13
- Balfour**, Sir William, is to be sent to Germany to raise horse, vi. 224; is sent on a complimentary mission to Mary de Medicis, vii. 186; is ordered to admit Billingsley into the Tower, ix. 348; refuses him admission, 349; refuses a bribe from Strafford, 366; tells Strafford that he cannot see Laud without leave from Parliament, 368; resigns the Lieutenancy of the Tower, x. 108
- Ballad on the Laudian clergy**, viii. 128
- Ballard**, a Jesuit, is struck by Sir E. Verney at Madrid, v. 102
- Ballot**, proposal made in the Scottish Parliament to vote by, x. 21
- Balmerino**, 1st Lord, 1604-1612 (James Elphinstone), disputes of, with the clergy, i. 308; is sent to England, ii. 31; acknowledges that he had obtained surreptitiously a letter from James to the Pope, 32; is condemned to death, 33
- Balmerino**, 2nd Lord, 1612 (John Elphinstone), asks Rodes to show to Charles Haig's supplication, vii. 293; shows the paper to his notary, 294; is tried and found guilty of concealing a libel, 295; is pardoned, 296; takes part in the revision of the Covenant, viii. 330; advocates

BAR

- the holding of a session of Parliament in defiance of the King's order to prorogue it, ix. 150
- Baltimore**, 1st Lord, 1624-1632 (George Calvert), is excluded from Charles's Privy Council, v. 319; is asked for an opinion on a peace with Spain, vi. 162; accompanies Buckingham to Newmarket, 163; founds a colony in Newfoundland, visits Virginia, and receives a grant of Maryland, viii. 177; death of, 16. See Calvert, George; Calvert, Sir George
- Baltimore**, 2nd Lord, 1632 (Cecil Calvert), takes up his father's project of settling a colony in Maryland, viii. 177; his position as proprietor of Maryland, 178; appoints his brother as Governor, 180
- Banbury**, refuses to billet soldiers, vi. 228; Puritanism of, viii. 93
- Banbury**, Earl of, 1626-1632 (William Knollys), refuses to ask for ship-money in 1628, vi. 227. See Wallingford, Viscount
- Banbury**, the hundred of, refusal to pay ship-money in, viii. 83
- Bancroft**, John (*Bishop of Oxford*, 1632), becomes Bishop of Oxford, vii. 314
- Bancroft**, Richard (*Bishop of London*, 1597, *Archbishop of Canterbury*, 1604-1610), his behaviour at the Hampton Court Conference, i. 153; presides in Convocation, and draws up canons, 195; becomes Archbishop of Canterbury, 196; directs that all curates and lecturers shall accept the canons of 1604, 197; takes the lead in drawing up the canons of 1606, 289; draws up *Articuli Cleri*, ii. 36; asserts that the King may take causes out of the hands of the judges, 38; takes up the case of the ecclesiastical lawyers, 41; death of, 119
- Banda Islands**, the Dutch in, iii. 163
- Bandino**, Cardinal, announces to Gage the terms on which the Infanta's marriage will be allowed, iv. 351
- Baner**, General, gains a victory at Wittstock, viii. 163; marches through Thuringia, ix. 56
- Bankes**, Sir John (*Attorney-General*, 1634; *Chief Justice of the Common Pleas*, 1641), becomes Attorney-General, vii. 366; argues for the Crown in Hampden's case, viii. 275; gives a legal opinion on the extent of the King's military authority, 350; becomes Chief Justice of the Common Pleas, ix. 263; signs the protestation of the peers at York, x. 205
- Bantam**, Dale's arrest at, iii. 179
- Barbary Pirates**, the, iii. 64. See Algiers
- Barberini**, Cardinal, is sent by Urban VIII. to mediate between France and Spain, v. 327; writes to Henrietta Maria on behalf of Lady Purbeck, viii. 146; the Queen demands money from, ix. 244
- Barcelona**, Treaty of, vi. 90
- Barbone**, Praise-God, dispersion of a congregation of Separatists at the house of, x. 105

BAR

- Barnard, Robert, Cromwell speaks roughly to, vii. 165
- Barneveld, John Van Olden (*Pensionary of Holland*), sent as ambassador to England, i. 105, leads the peace party in the Netherlands, ii. 27; opposes the Calvinists, iii. 255, is driven from power, 259; execution of, 260
- Barnwall, Sir Patrick, imprisoned and sent to England for petitioning against the proceedings in the Castle chamber against the Dublin aldermen, i. 305; is released, 399; is sent to England, ii. 288
- Baronet, money obtained by the sale of the title of, ii. 112
- Baronius's Church History, proposed presentation of, to James, i. 225
- Barrington, Sir Francis, is imprisoned for refusing to sit on the commission in Essex for the forced loan, vi. 128
- Barwalde, treaty of, vii. 179
- Basilicon Doron*, the, i. 75
- Bassompierre, Marshal, is to be sent to England, vi. 137; arrives in London and negotiates about the Queen's household, 141; and about commercial dispute, 142, entertainment given by Buckingham to, 145; hints to Buckingham that his presence will not be acceptable in France, 147; returns to France, 150; is disavowed by Louis, 152
- Bastwick, John, writes *Flagellum Pontificis, Apologeticus*, and *The Litany of John Bastwick*, viii. 227; is tried and sentenced in the Star Chamber, 228; stands in the pillory, 231; is imprisoned in the Scilly Isles, 233; the Commons order the liberation of, ix. 236; enters London in triumph, 242; the Commons vote reparation to, 298; is carried off as a prisoner from Leicester by the King, x. 214
- Bate, John, resists payment of the imposition on currants, ii. 5; decision of the Court of Exchequer against, 6
- Bates, Thomas. *See* Gunpowder Plot
- Bavaria, Duke of, Elector of. *See* Maximilian
- Baxter, Richard, early life of, v. 353; describes the ignorance of the mass of the population, viii. 124; describes the Puritans known to him, 125; visits the Court, 126; his first thought of Nonconformity, 126
- Bayley, Dr. Lewis, preaches a sermon in which he attacks the Catholic Privy Councillors, ii. 159
- Beale, Dr. William, is sent for by the House of Commons, ix. 111
- Beale, Thomas, asserts that he heard persons talking of a plot to murder members of the two Houses, x. 73
- Beard, Dr. Thomas, is Cromwell's schoolmaster, vii. 54; is reprimanded by Neile, 55
- Beaulieu, Charles's visit to, vi. 4
- Beaumont and Fletcher, immorality of the plays of, vii. 327

BEL

- Beauty of Holiness, the, Laud's idea of, vii. 125
- Beccles, Bient's report of the metropolitanical visitation of, viii. 109
- Becher, Sir William, is sent to Rochelle to offer Buckingham's assistance, vi. 172; supposes that the Rochellese magistrates have been bribed by Louis, 174, arrives in England to beg for reinforcements for the expedition to Rhé, 179; sails with recruits and a little money, 180
- Beckington, excommunication of the churchwardens of, viii. 116
- Bedell, William (*Bishop of Kilmore and Ardagh*, 1629-1633, *of Kilmore*, 1633-1641), converses with De Dominis, iv. 284; protests against the tyranny of the ecclesiastical courts, viii. 41, and against the ignorance of the Irish language in the clergy, 42; resigns the see of Ardagh, 16, receives fugitives from Belturbet, 66
- Bedford, Countess of, introduces the manufacture of gold and silver thread, iv. 11
- Bedford, 3rd Earl of, 1585-1627 (Edward Russell), hopes that Parliament may have a successful meeting, iii. 230
- Bedford, 4th Earl of 1627-1641 (Francis Russell), lends to Somerset a copy of Dudley's paper of advice, vii. 139; is prosecuted in the Star Chamber, 140; undertakes to drain the Great Level of the Fens, viii. 295, fails to complete the work, 296, arrangement made by Charles with, 298; votes against interference with the Commons, ix. 109; signs a letter to Johnston of Warriston, 179, takes part in a meeting of the opponents of the Court, and is recommended by the Council to return to his own county, 198; signs the petition of the twelve peers, 199; asks the Council to support the petition, 202, Pym trusted by, 223; rumour that he is to be Treasurer, 273; becomes a Privy Councillor, 292; is informed of the Army Plot, 317; is again by rumour named as Treasurer, 340; death of, 361
- Bedford, 5th Earl of, 1641 (William Russell), is appointed a Parliamentary Commissioner to attend the King in Scotland, x. 4; protests against the refusal of the Lords to communicate their resolution on Divine Service to the Commons, 16; declines to accompany the Parliamentary Commissioners to Edinburgh, 18
- Bedford Level, the, viii. 295
- Bedfordshire, levy of soldiers resisted in, ix. 160
- Belhaven, Lord, 1633-1639 (Robert Douglas), improbable story told of, vii. 278
- Bellarmino, Cardinal, remonstrates with Blackwell, ii. 20; enters into controversy with James, 31
- Bellasis, Henry, insults Wentworth, vii. 229; is forced to make submission, 230; urges the abolition of the military charges, ix. 114; refuses to answer questions about his conduct in Parliament, 129; is imprisoned, 130; liberation of, 135

BEL

- Belle, Captain, accompanies Faige to France, iii. 110; gives information on Raleigh's plans, 111
- Bellievre, M. de, wins the Queen to oppose the effort of Caidenas to obtain protection for Oquendo's fleet, iv. 63; wishes France to assist the Covenanted leaders, 91, recall of, 92
- Bellin, Christopher, is sent by the Elector of Brandenburg to invite Gustavus to place himself at the head of the North German Princes, v. 296, accompanies Spens to England, 297, negotiates with Richelieu, 298
- Belturbet, treatment of fugitives from, x. 66
- Bemeton, life of George Herbert at, vii. 268
- Bien, Sir Anthony, death of, iii. 217
- Benevolence, a, offered by the bishops and others, ii. 260; Coke's opinion on the legality of, 261; the country asked for, *ib.*; small result of, 262, 264; pressure put on the country to give, 265; resistance to the payment of, 266; proposed levy of, in Ireland, 300; proposed by the Council for the defence of the Palatinate, iii. 373; small results obtained from, 380, is again demanded in 1622, iv. 294, moderate results of, 295; proposal of Buckingham to levy another, 375, is suggested by Sir E. Coke, v. 427; proposed by Netherole, vii. 343
- Bennett, Sir John, is said to have offered money for the Chancellorship, iii. 78; charge of corruption against, iv. 108, is bailed, 125; is fined in the Star Chamber, 350
- Benyon, George, opposes the militia ordinance, x. 168; is sentenced to fine and imprisonment, 185
- Bergen-op-Zoom, is besieged by Spinola, iv. 341, is relieved, 376
- Bergh, De, Count Henry, passes from the Spanish to the Dutch service, vii. 209
- Bergstrasse, the, given up to the Elector of Mentz, v. 145
- Berkeley, Sir John, is placed in custody by the Commons, x. 28, examination of, 42
- Berkeley, Sir Maurice, asks the Commons to defer the consideration of the Great Contract till there is a larger attendance, ii. 106; conversation of Peacham with, 272
- Berkeley, Sir Robert, 1632 (*Justice of the King's Bench*), 16; refuses to allow Chambers to try the legality of ship-money in his court, viii. 103; delivers judgment in the case of ship-money, 278, is arrested on the Bench and impeached, ix. 289
- Berkshire, payment of the forced loan in, vi. 153; mutiny of soldiers from, ix. 172
- Berkshire, Earl of, 1620-1623 (Francis Nor-118), quarrels with Lord Scrope, iv. 38; marriage of his daughter to Edward Wray, 276; commits suicide, *ib.*

BIL

- Berkshire, Earl of, 1626 (Thomas Howard), is a candidate for the Chancellorship of the University of Cambridge, vi. 116; is sent prisoner to London by Hampden, x. 218
- Bernard, Nathaniel, attacks the new ceremonies, vii. 250; is fined and imprisoned, 251
- Bernhard (*Duke of Saxe-Weimar*), takes Ratisbon, vii. 348; is jealous of Horn, 353; is taken into the pay of the King of France, 374; defeats the Imperialists at Rheinfelden and takes Breisach, viii. 381, Charles hopes for the assistance of, ix. 56; death of, 57
- Berreoe, gives information to Raleigh about El Duado, ii. 373
- Berry, Captain, is sent by Raleigh to Guiana, ii. 378
- Berulle, Father, is sent by Richelieu to urge the Pope to grant a dispensation for Henrietta Maria's marriage with Charles, v. 306, protests against the proposed persecution of the Catholics, 422
- Berwick, bridge built over the Tweed at, ii. 214, fortifications to be erected at, viii. 344; Lindsey sent to command at, 385; Charles proposes to advance to, ix. 18, arrival of Charles at, 22; visit of the Covenanters to Charles at, 46; Conyers placed in command of the garrison of, 84
- Berwick, the Treaty of, signature of, ix. 40; difficulties in the way of the execution of, 44; complaints of the non-execution of, 46
- Best, Captain, sent to protect the ports of Scotland, v. 84, convoys a Dunkirk privateer from Aberdeen, 86; drives the Dutch from the Downs, 87, brings the privateer to the Thames, 88
- Bethlen Gabor (*Prince of Transylvania*), attacks Vienna, iii. 320; is elected King of Hungary, 382; makes head against Bucquoi, iv. 203; engages to attack the Emperor's territory, vi. 139; Wallenstein opposed to, 161; peace made by the Emperor with, 186
- Beveley, the King posts himself at, x. 211; Charles receives a petition from the Houses at, 212
- Bible, the, new translation of, i. 200
- Billeting soldiers, outrages consequent on, vi. 219; resolution of the Commons on, 247; clause in the Petition of Right condemnatory of, 275; complaint in Yorkshire of, ix. 177; the King's explanation of his right to enforce, 187
- Billingsley, Captain, is sent to occupy the Tower, ix. 348; is refused admission, 349
- Bills of Conformity, complaint of Bacon's issue of, iv. 57
- Bilson, Thomas (*Bishop of Winchester*, 1597-1616), reports on Laud's election at St John's, ii. 127; unpopularity of, for supporting the Essex divorce, 174; James

BIN

- refuses the appointment of Lord Privy Seal to, 328, becomes a Privy Counsellor, 330, gives an opinion on the preparation for a Parliament, 366
- Bingley, Sir John, charged with participating in Lady Suffolk's corruption, iii. 189, Star Chamber proceedings against, 208, sentence on, 210
- Bingley, Sir Richard, conveys a Dunkirk privateer to Mardike, v. 88
- Binning, Lord 1613-1619 (Thomas Hamilton), is appointed one of the King's commissioners at the Assembly of Perth, iii. 234. *See* Melrose, Earl of
- Birks, the, Charles encamps at, ix. 22, condition of the troops at, 30, conferences for a treaty opened at, 38
- Bishop, William (*Bishop of Chalcedon*), is opposed to the Jesuits, viii. 131
- Bishops' Exclusion Bill, the first, passes the Commons, ix. 347, is amended by the Lords, 378, is discussed in conference, 382, is rejected by the Lords, 383
- Bishops' Exclusion Bill, the second, is brought into the House of Commons, x. 37, is sent up to the Lords, 38, petition of the City in favour of, 71, is accepted by the Lords, 163, receives the Royal assent, 165
- Bishops, the English, resolution of the Commons to exclude from the House of Lords, ix. 299; their special dependence on the King asserted by Saye and Jeremy Taylor, 381, are insulted outside the House of Lords, x. 117, the protest of, 122. *See* Episcopacy
- Bishops, the Scottish, offer of Charles to make them responsible to the Assembly, viii. 363, are accused before the Edinburgh Presbytery, 368; the Assembly of Glasgow declares itself competent to judge, 371; are deprived of their authority by the Assembly, 373; are summoned by Charles to the Assembly of Edinburgh, ix. 44; are directed by Charles to protest secretly against the legality of the Assembly, 48
- Bishops' War, the first, ix. 1
- Bishops' War, the second, ix. 165
- Black, David, preaches a political sermon, i. 56; is summoned before the Council, 58; declines the jurisdiction of the Council, 59; renews his declination, 60; is banished beyond the Tay, 61
- 'Black Saturday,' vii. 275
- Blackfriars, accident at an assembly of Catholics at the house of the French Ambassador at, v. 142
- Blackwater, the defeat of the English at, i. 361
- Blackwell, George, the Archpriest, receives information of Watson's plot, i. 113; informs Cecil of the plot, 114; rejoices in the divisions of the Church of England, 146; vacillation of, on the subject of taking the oath of allegiance, ii. 16; takes the oath, 20; is deposed, 21

BOR

- Blainville, Sieur de, is appointed French ambassador in England, and ordered to object to Buckingham's proposed visit to France, vi. 25, asks Charles to fulfil his promise in favour of the English Catholics, 27; holds a conversation with Buckingham, 28; remonstrates with Charles, 29, protests against the sale of French prize goods, 42; is accused of setting the Queen against her husband, 48; is forbidden to appear at Court, 57; interference with the Catholics going to mass at the chapel of, 70, indignation of, at the violation of his privileges as an ambassador, 71; has his last audience, 89
- Blavet, seizure of ships in the harbour of, v. 304
- Bloxham, the hundred of, resistance to ship-money in, viii. 93
- Blythe, Dunkirkers attacked by the Dutch at, vii. 389
- Bocking, the communion-rail burnt by soldiers at, ix. 176
- Bodleian Library, the, Laud gives some MSS. to, viii. 147, Charles visits, 151
- Bohemia, Protestantism in, iii. 262; aristocratic institutions of, 263; the Royal Charter of, 264; conflict of opinion in, 265; acceptance of Ferdinand as King of, 266, revolution in, 270; the Elector of Saxony offers to mediate in, 275; successes of the revolutionists in, 278; James is asked to mediate in, 279; Doncaster sent to mediate in, 289; Ferdinand's claim to the throne rejected by the directors of, 290, Ferdinand's successes in, 304; James's offer of mediation received with coolness in, 307; Frederick elected King of, 309; anarchy in, 315; progress of the war in, 381; defeat of Frederick in, 383; Ferdinand master of, 384; expulsion of the Lutheran clergy from, iv. 400
- Bohemia, King of. *See* Frederick V., Elector Palatine
- Bohemia, Queen of. *See* Elizabeth, Electress Palatine
- Boisshot, Ferdinand de, sent to England by the Infanta Isabella, iv. 409; meets Charles and Buckingham on his way to London, v. 7
- Bolingbroke, Earl of, 1624 (Oliver St. John), refuses to pay the forced loan, vi. 190; signs the petition of the twelve peers, ix. 199
- Bordeaux, seizure of the English wine-fleet at, vi. 147
- Border trials, Act providing for the regulation of, i. 338
- Borlase, Sir John, is appointed Lord Justice, x. 55. *See* Lords Justices, the
- Borough, Sir John, is prevented by the inhabitants of Frankenthal from abandoning the place, iv. 362; evacuates Frankenthal, v. 74; is sent as second in command of the expedition to Rhé, vi. 169; behaves well at the landing, 173; death of, 181

BOR

- Borough, Sir John, writes the *Sovereignty of the Sea*, vii. 353
 Boroughbridge, meeting of officers at, ix. 324
 Boston, self-mutilation of a soldier of, iv. 10
 Boswell, Sir William, is instructed to be present at the conferences between the deputies of the two States-General, vii. 212; is directed to enforce the use of the Prayer-book in the English congregation at Delft, 315; insists on the adoption of the Prayer-book by the English regiments in the Netherlands, 316; negotiates with the Dutch fishermen, viii. 218; remonstrates with Mary de Medicis, 379
 Boteler, Lord, 1628-1637 (John Boteler), changes his religion, viii. 238
 Bowes, Sir Jerome, receives a patent for making glass, iv. 9
 Bowing in church, enforced by Laud, vii. 242; controversy on, 246; Laud defends his practice respecting, viii. 230
 Bowyer, Ludowick, is punished for an attack on Laud, vii. 302
 Brackley, Viscount, 1616-1617 (Thomas Egerton), illness of, iii. 76; resignation of, 77; death of, 78; see Ellesmere, Lord
 Bradford, William, attends Clifton's preaching, iv. 147; hears that his wife has been drowned, 166; is chosen governor of the colony in New England, 168; welcomes the Massachusetts settlers, viii. 155
 Braintree, difficulty of enforcing conformity at, vii. 250
 Bramhall, John (*Bishop of Derry*, 1634), takes part in the amendment of the Irish canons, viii. 53; attempts to enforce conformity in Ulster, 54
 Bramston, John, defends the five knights, vi. 213. See Bramston, Sir John
 Bramston, Sir John, delivers judgment in the case of ship-money, viii. 279
 Brancepeth, arrangements of Cosin's Church at, vii. 267
 Brandenburg, Elector of. See George William
 Brandling, Robert, locks up an ecclesiastical court in a church, viii. 111
 Breda, Spinola lays siege to, v. 275; connection of the Prince of Orange with, 26; wish of the French to employ Mansfeld in the relief of, 276; surrender of, 335; exhaustion of the Spanish finances in consequence of the siege of, vi. 162
 Breisach, is taken by Bernhard, viii. 381
 Breitenfeld, battle of, vii. 188; enthusiasm raised in England by the success of Gustavus at, 189
 Brent, Sir Nathaniel, is Laud's Vicar-General to carry out the metropolitanical visitation, viii. 208
 Brereton, Sir William, his remarks on the physical and moral condition of the Scots, viii. 307
 Brett, Anne, marries Cranfield, iii. 213

BRI

- Brett, Arthur, is suspected of attempting to supplant Buckingham, and is sent out of England, v. 6, 229; returns to England, 230; is to go to Rome as Henrietta Maria's agent, viii. 138, receives instructions from Charles, 139; death of, 144
 Brett, Sir Alexander, behaves well at the landing at Rhé, vi. 173; disaster to the regiment of, 198
 Brewers, the, charged with brewing too strong beer, ii. 306
 Brewster, Captain, condemned to death by Argall, iii. 160
 Brewster, William, settles as postmaster at Scrooby, iv. 147; becomes elder of the Separatist congregation at, 150; is imprisoned for attempting to emigrate, 151; crosses the Atlantic in the 'Mayflower', 159; nurses the sick, 167; presides over the congregation at Plymouth, 169
 Bribes, distinguished from fees and gratuities, iv. 79
 Brickmakers, monopoly granted to the corporation of, viii. 283
 Bridge of Dee, the, is stormed by Montrose, ix. 41
 Bridge of Dessau, the, Mansfeld defeated at, vi. 139
 Bridgeman, John (*Bishop of Chester*, 1619), examines the Lancashire witches, vii. 324
 Bridgewater, Earl of, 1617 (John Egerton), said to have paid for his earldom, iii. 78; becomes a Privy Councillor, vi. 133; thinks that the Lords ought to decide something about the Petition of Right, 281; performance of the *Comus* at the festivities to celebrate his entry upon the office of President of Wales, vii. 335
 Bristol, proposals to send citizens of, to Waterford, viii. 8
 Bristol, Earl of, 1622 (John Digby), is ordered to leave Madrid if Philip will not engage to help in obtaining the restitution of the Palatinate, iv. 371; expresses confidence that he will obtain satisfaction if time is allowed, 379; but tries to put the assurances of Olivares to the test by asking that Spanish troops may join in the defence of Mannheim and Frankenthal, 380; is allowed to read Philip's letter to the Infanta Isabella, 381; fails to obtain a promise from the Spanish Government that Heidelberg will be restored within seventy days, 384; his position in Spain threatens to become untenable, 385; allows the marriage articles, as amended in Spain, to be sent to Rome, 396; recommends their acceptance by James, 397; receives Charles and Buckingham at Madrid, v. 10; imagines that Charles intends to change his religion, 17; Protestant service celebrated in his house, 28; resents Olivares' statement that Philip III. never intended to conclude the marriage treaty, 51; remonstrates with Olivares. 52; pleads for a

BRI

relaxation of the demands of the Theologians, 53; postpones action on his instructions to treat for a partition of the Netherlands, 86; is ready to consent to the education of the Electoral Prince at Vienna, 108, policy of, 109; offers to wager a ring that Charles will spend Christmas at Madrid, 112; writes to James on Buckingham's misconduct in Spain, 114; is ordered not to deliver Charles's proxy till he has security that the Infanta will not go into a nunnery, 118; assures Charles that the Infanta may be relied on, 121; explains to Charles his objections to a delay in delivering the proxy left with him, 133, hopes that if the marriage is effected Philip will assist in the restitution of the Palatinate, 139; complains of the instructions sent him to postpone the marriage, 140; is ordered to leave Spain if he does not receive a satisfactory answer about the Palatinate, 146; asks how he can honourably detain the proxy when the dispensation arrives, 148; tries to postpone the marriage, 151; informs Olivares that the marriage must be postponed, and demands the restitution of the Palatinate, 153; political ideas of, 161; offers to be reconciled to Buckingham, 164; rejects the offers of Olivares, and leaves Spain, 165; returns in a state of irritation against Buckingham, 231; is confined to his house and asks for a trial in Parliament, 232; is subjected to interrogatories, and compelled to retire to Sherborne, 236; refuses to acknowledge error, 308; his name removed by Charles from the list of Councillors, 319; receives a visit from Pembroke, vi. 30; is ordered to remain at Sherborne, 92; is forbidden to come to Parliament, and declares his readiness to stand a trial, 93; comes to Westminster to take his seat in the House of Lords, and accuses Buckingham, 94; is accused by Charles of high treason, 95; charges against him, and his counter-charges against Buckingham, 96; makes his defence, 97; counsel allowed him by the Lords, 112; answers the charges against him, 114; is sent to the Tower, 123; is restored to his seat in Parliament at the instance of the Lords, 231; Star Chamber prosecution of, 232; asserts that the King has a regal power besides his legal power, 258; wishes to find a formula which will allow the King a discretionary power of imprisonment in cases of necessity, 277; declares that the clause drawn up by Weston is not essential, 281; supports Arundel's proposal for a declaration to the King, 288; speaks of the mischievous effects of a dissolution, 306; proposes to ask the King not to dissolve Parliament, 307; declares that distractions have sprung up from the King's first answer to the Petition, 308; is restored to favour, 335; dissuades Charles from advancing to Berwick, ix.

BRO

18; tells Charles that most of the Lords wish to petition for a Parliament, 36; reports Strafford's conversation on the political situation, 137; is accepted as a leader by the Great Council, 208; thinks that the City will lend money, 209; tells Charles that he will have to do what he does not wish, 252; recommends the acceptance of the Scottish demands for compensation, 261; is restored to the Privy Council, 292, policy of, 339; urges Charles to declare that he will not restore Strafford to authority, 345, is insulted by a mob, 350; is excused from voting on the Attainder Bill, 361; becomes a Gentleman of the Bedchamber, 416; draws up an amendment to the declaration against toleration, x. 100; is named as an evil counsellor, 116; is charged by Cromwell with having wished to bring up the Northern army, 119; is sent to the Tower, 181; liberation of, 194. See Digby, Sir John; Digby, Lord Broadgate, the Leicestershire magazine of arms carried off to, x. 206; failure of Hastings's attempt on, 209
 Brome, is joint author of *The Lancashire Witches*, vii. 326
 Brooke, Dr. Samuel, is forbidden to publish a controversial book, vii. 133
 Brooke, George, takes part in Watson's plot, i. 109; gives evidence against his brother, 117; is convicted, 138; is executed, 139
 Brooke, 1st Lord, 1621-1628 (Fulk Greville), surrenders the Chancellorship of the Exchequer, iv. 228; is absent through illness from the Privy Council when the oath is taken to the Spanish marriage treaty, v. 69; is a member of the Council of War, 223; is appointed a member of the Committee for Foreign Affairs, 323
 Brooke, 2nd Lord, 1628 (Robert Greville), proposes to emigrate to New England, viii. 171; follows the King reluctantly to the war against the Scots, 385; refuses to take the military oath, ix. 11; votes against interference with the Commons, 109, his study searched, 129; signs a letter to Johnston of Warriston, 179; takes part in a meeting of the opponents of the Court, 198; signs the petition of the twelve peers, 199; visits a congregation of Separatists, 267; rumoured appointment to the Privy Council of, 413; his *Discourse on Episcopacy*, x. 35; intention of Charles to call as a witness against the five members, 130; seizure of guns intended to be used at Warwick Castle by, 216; establishes himself in Warwick Castle, 217
 Brooke, Sir Basil, fined at Holland's justice-seat at Gloucester, vii. 364
 Brooksby, Bartholomew, is convicted of treason, i. 138; is banished, 139
 Brotherly Assistance, the, offered to the Scots by the Commons, ix. 272; bill for

BRO

- securing payment of, 417; an instalment of, promised immediately, 1
- Brouncker, Sir Henry, becomes President of Munster, i. 378; attempts to repress recusancy, 395; death of, 399
- Brown, Robert, founds the Separatist body, i. 37
- Brownists. *See* Separatists
- Brownlow v. Michell, case of, iii. 7
- Brussels, Conway and Weston arrive at, iii. 366; Digby negotiates for peace at, iv. 189; Digby visits, on his return from Vienna, 223; opening of conference for the pacification of the Palatinate at, 311; renewed discussion at the conference at, 321; proposal made for the sequestration of towns in the Palatinate at, 337; progress of the negotiations at, 340; end of the conference at, 345; meeting of the States-General at, vii. 220; French declaration of war at, 384; Maury de Medicis at, viii. 379
- Buckden, position of the communion-table at, vii. 17
- Buckeridge, John (*Bishop of Rochester, 1610, Bishop of Ely, 1628*), declares that the Church does not condemn Montague's opinions, v. 401; suggests that the opinion of the judges be taken on the Petition of Right, vi. 287; becomes Bishop of Ely, 330
- Buckingham, Countess of, is ordered to leave the Court, iii. 208; finds husbands for her poor relations, 212; fails in obtaining a wife for her son Christopher, 296; advises Buckingham to marry Lady Catherine Manners, 354; finds husbands for her kinswomen, iv. 24; listens to Fisher, the Jesuit, 279; after hearing a conference between Laud and Fisher, declares herself a Roman Catholic, 281; applies a plaster to James, v. 313; accompanies Charles and Henrietta Maria, 334; wish of Charles that she shall be a Lady of the Bedchamber to the Queen, vi. 4; resolution of Charles that the Queen shall witness a procession in the company of, 56; enters the Queen's household, 141; writes a letter to her son at Rhé, 189; brings about a reconciliation between her son and Williams, 339
- Buckingham, Duchess of, proposed as Lady of the Bedchamber to the Queen, vi. 4; enters the Queen's Household, 141; writes to her husband during his absence, 188; writes to Dr. Moore on her husband's absence, 189; intercedes for a mutineer, 348; hears of her husband's murder, 350; erects a monument to her husband, 357; is brought to Court to plead for Portland, vii. 350; marries Lord Dunluce, and pleads for Lady Purbeck, viii. 146
- Buckingham, Duke of, 1623-1628, (George Villiers), takes no part in the Prince's fresh efforts to induce the Spaniards to allow the Infanta to leave Spain. v. 59; blame of Charles's failure laid by the

BUC

Spaniards on, 93; his conduct at Madrid, 94; threatens Khevenhuller, 126; is sent to Olivares to urge him to allow the Infanta to accompany Charles, 95; has an interview with the Infanta, 96; engages in an altercation with Olivares, 111; account given by Bristol of the misconduct of, 114; upbraids Olivares, 116; urges James to make the restitution of the Palatinate an indispensable condition of the Prince's marriage, 141; gives an account of his proceedings in Spain to a Committee of the Council, 143; urges James to summon Parliament, 157; his hold upon Charles, 172; is eager for war, 173; is angry at the refusal of the Committee on Spanish affairs to vote for war, 177; gives the Houses a narrative of his proceedings in Spain, 185; is supported by Parliament against the Spanish ambassadors, 188; sneers at James's refusal to receive a petition from the Commons, 192; assures Charles that he will become popular if he engages in war, 195; suggests the imposition of new taxes, and the introduction of foreign troops, 196; asks James to break the treaties with Spain, 197; begs James not to waver between his subjects and the Spaniards, and urges him to agree to a French alliance, 198; moves for an inquiry into the insults offered to the Spanish Embassy, 203; is probably cognisant of the attack on Lafuente, 204; challenges Lafuente to declare the substance of his lost despatches, 205; is always present when the Spanish ambassadors have an audience, 207; Carondelet's complaint against, 208; is informed of Carondelet's proceedings, 210; nature of his influence over James, 213; charges brought by Lafuente against, 224; is accused by Inojosa of conspiring to dethrone James, 226; is cleared by the Privy Council, 228; supports the impeachment of Middlesex, 230; falls ill, 231; wishes to have Bristol sent to the Tower, 232; objects to an interview between James and Bristol, 236; demands 10,000*l* from the East India Company, 238; stays the East India fleet, and charges the Company with piracy, 239; obtains the money for which he had asked, 240; is persuaded by Effiat to be satisfied with the French proposal about the marriage treaty, 254; urges James to sign an article in favour of the Catholics, 257; assures Louis that James has done all that can be expected, 26; gains Charles over to Effiat's views, 261; risks of the warlike policy of, 264; tells Effiat that Parliament will be angry with him, 268; does not mention to James the wish of the French ambassadors, that Mansfeld shall land in Holland, 281; is dissatisfied with Mansfeld's resolution to take his army to Flushing, 285; is anxious to get Mansfeld off on any terms, 286; hopes that Mansfeld will reach the Palatinate,

BUC

287. advises Bellin to visit Paris, 298; is eager for a vigorous war, 300, urges James to lend ships for an attack on Genoa, and proposes to send a fleet to the coast of Spain, 302; urges James to lend ships to be used against Rochelle, 305; prepares to go to France with Charles's proxy for the marriage with Henrietta Maria, 306; strength of his position at Court, 308; buys from Lord Zouch the Wardenship of the Cinque Ports, 310; declines the Lord-Lieutenancy of Ireland, 311; resents the advice of Williams that he shall abandon the Admiralty, *ib.*; gives James a posset-drink, 313; shares Charles's privacy during the first days of his reign, 319, assures Cottington that he wishes to ruin him, 322; is a member of the Committee for Foreign Affairs, 323, lends money to enable the fleet to be got ready for sea, *ib.*; is to command the fleet, and proposes to use it to attack the ports of Flanders, 325; is too busy to act as proxy for Charles at Paris, 326; resolves to visit France to urge Louis to ally himself with England, 327; wishes Louis to come to terms with the Huguenots, 328; makes a splendid appearance at the Court festivities at Paris, 330; fails as a negotiator, 331; makes love to the Queen of France, 332; urges his followers to support a motion for further supply, 366; Eliot's remonstrance with, 367; tells Eliot that supply is asked for, with expectation of denial, 368; intention of, 369; chooses Sir J. Coke as his mouth-piece in the House of Commons, 370; is unwilling to employ Pennington's fleet against the French Protestants, 379; orders Pennington to give up his fleet to the French, and negotiates with the French ambassadors at Rochester, 384; gives secret instructions to Nicholas, 385; orders Pennington to get up a mutiny in his ships, 386; is pleased with the news that Louis has made peace with the Huguenots, 393; orders Pennington actually to surrender the fleet, 394; makes up his mind to throw over the Catholics, and to disgrace Williams, 398; effort made to reconcile the House of Commons to, 412; Rich demands that he shall not be the single adviser of the Crown, 414; is recommended to come to terms with the Commons, 415; is ready to explain away the promises given to France to protect the Catholics, 417; appears in Christchurch Hall to make a communication to the Commons, 418; offers to abandon the Catholics, explains his foreign policy, and declares that he has never acted without counsel, 419; assures the Commons that they may name their enemy, 420; his defence unsatisfactory, but sincere, 421; makes light of Charles's breach of faith with respect to the Catholics, 422; speaks rudely to Father Berulle, 423; is named in the

HUC

House of Commons, 429; pleads against a dissolution, 430; expects to bring the nation round to his support, *vi.* 1, his calculations baffled by the continuance of the Civil War in France, 2; is sent by Charles to threaten or flatter the Queen, 4; is to go to the Hague to be present at the Congress, and to pawn the Crown jewels, 7; is warned by Cromwell of the danger of his isolation, 9; remains at Plymouth after the King's return, 12; sends Glanville to sea as Secretary of the fleet, 13; is partly answerable for the failure of the expedition to Cadiz, 21; proposes to visit France, 24; is refused permission to enter France, 25; is instructed to require an engagement from Louis, in favour of the Huguenots, 26; is summoned to Salisbury to meet Blainville, 27; holds a conversation with Blainville, 28, is reconciled to Pembroke, 30; disposes of the King's patronage, 32; is delayed in crossing the sea by the Dunkirk privateers, 34; reaches the Hague, and proposes combined operations against Dunkirk, 35; engages, in the Treaty of the Hague, that Charles will fulfil his obligations to the King of Denmark, 36; is refused permission to pass through France, and returns to England by sea, 37; Louis offers conditionally to receive, 38; fresh overtures addressed by Richelieu to, 39; is at Plymouth when French prizes are brought in, 41; attempt to borrow money for the King of Denmark, *ib.*; proposal to place him in command of a fleet for the relief of Rochelle, 44; informs Blainville that his master must succour Rochelle, 45; orders the 'St. Peter' of Havre de Grace to be re-arrested, 46; scolds the Queen for disobedience to her husband, 56; conference on Montague's book, held at the house of, 64; is petitioned for the release of the 'St. Peter,' 65; after a consultation with Marten, orders the release of the 'St. Peter,' 66; is declared by Dr. Turner to be the cause of all grievances, 76; queries asked about the conduct of, 77; explains away Charles's threat of dissolution, 83; vindicates his past conduct, 84; charges voted against, upon common fame, 86; is accused by Bristol, 94; nature of the charges against, 96; impeachment of, 98; listens to the charges brought against him on the first day's impeachment, 100; is absent on the second day, 101; Eliot sums up the charges against, 103; is compared to Sejanus, 105; interprets the language used by Digges as directed against the King, 111; is put forward by Charles as a candidate for the Chancellorship of Cambridge, 115; is elected, 116; makes his defence to the impeachment, *ib.*; Charles orders that his case shall be tried in the Star Chamber, 123; sentence given in favour of, 124; seeks to gain favour with the nobility

BUC

133; is surrounded by a mob of soldiers and sailors clamouring for pay, 138; expects to get over the difficulties with France, 142; talks of renewing the French alliance, and entertains Bassompierre at York House, 145; proposes to go to France to negotiate a new alliance, 146; in spite of hints that his presence will not be acceptable, persists in offering to go, 147; is followed by a mob at Canterbury, 148; determines to resist Richelieu's attempt to make France a naval power, 150; orders Pennington to attack French ships at Havre, 151, informs Richelieu that the French terms are inadmissible, 152; makes overtures to Spain, 160; sends Gerbier to Brussels to propose a suspension of arms, 161; informs Joachimi of his negotiation with Spain, 162; proposes to Charles to negotiate with Spain, 163; Walter Montague in favour with, 167; hopes to be supported by the Duke of Rohan, 168; boasts that he will restore the reputation of the navy, 169; sails from Stokes Bay, 171, arrives off the Isle of Rhé, 172; effects a landing, 173; finds that the Rochellese are unwilling to support him, 174; lays siege to St. Martin's, 175; pays compliments to Toiras, 176; is in need of reinforcements, *ib.*, a French deserter attempts to assassinate, 177; arrival of reinforcements for, 180; sends Ashburnham to Paris to make overtures for peace, 181; cries out for fresh reinforcements, *ib.*; fails to prevent the revictualing of St. Martin's, 182, obtains from the council of war a resolution to go on with the siege, 183; has hopes in Rohan's insurrection and Holland's reinforcements, 184; letters written from England to, 188; writes to his mother from Rhé, 189; receives warnings of his danger, 190; thinks of assaulting St. Martin's, 193; assaults St. Martin's, 196; is driven back, and retreats with the loss of a great part of his army, 197; embarks the remains of his army, 198; causes of the failure of, 199; lands at Plymouth and proposes an attack on Calais, 201, talks of continuing the war for many years, 217; is unable to satisfy the soldiers and sailors, 218; refuses to hear of peace, and advises the summoning of Parliament, 221; proposes the raising of a standing army, 223; resolution of the leaders of the Commons not to repeat the attack on, 231; is displeased with the forgery of a letter in the name of one of the Jesuits arrested at Clerkenwell, 238; moves that the debate on committal be closed, 258; fails to persuade the Lords to reject the Commons' resolutions, 259; approves of the Lords' amendment to the Petition of Right, 279; urges the Lords to insist on the saving of the King's sovereign power, but afterwards expresses his readiness to be satis-

BUC

fied with a saving of the prerogative, 281; asks the Lords to put to the vote the question whether there is to be a saving of the King's power, 282; loses his hold on the House of Lords, *ib.*; protests in vain against the resolution of the Lords to give up the additional clause to the Petition of Right, 283; is attacked by Eliot, though his name is not mentioned, 299; is named by Coke as the cause of all miseries, 305; proposal of Selden to renew the impeachment of, 306; a clause added to the Commons' Remonstrance in condemnation of, *ib.*; does not oppose the wish of the Lords to have a better answer to the Petition of Right, 308; heads a deputation to ask Charles for an answer, 309; abandonment of Selden's proposal to renew the impeachment of, 315; the Commons ask for the dismissal of, 317, outrageous charges brought against, 318; Charles orders the removal from the file of all the documents relating to the Star Chamber prosecution of, 320; is refused permission to answer the complaints against him in the Remonstrance of the Commons, *ib.*; satires directed against, 321, wishes to limit the extent of the war, 331, proposes to go to Spain to negotiate a peace, 333; is reconciled to Williams, and listens to his advice, 340; gives his confidence to Carleton, 341; resigns the Wardenship of the Cinque Ports, 342; wishes for peace with France if it can be obtained without dishonour, 344; is despondent at the delay in fitting out the fleet, 345; approves of Contarini's wish to negotiate a peace between France and England, 346; has interviews with Charles and Contarini about the peace, 347; is in danger from mutineers, 348; assassination of, 349; funeral of, 356; monument of, 357; estimate of the career of, 358. *See* Villiers, Sir George; Villiers, Lord; Buckingham, Earl of; Buckingham, Marquis of

Buckingham, Earl of, 1617-1618 (George Villiers), patronage placed in his hands, *iii.* 75; opposes Velverton's promotion, 79; is angry with Bacon for interfering with his brother's marriage, 94; his feeling towards Bacon reported by Velverton, 96; takes Bacon into favour, 97; flatters Lady Hatton, 99; is created a Marquis, 101. *See* Villiers, Sir George; Villiers, Lord; Buckingham, Marquis of; Buckingham, Duke of

Buckingham, Marquis of, 1618-1624 (George Villiers), defends Gondomar in the Council, *iii.* 133; opposes the Howards, 185; his lease of the Irish Customs, 186; makes up a quarrel with the Prince of Wales, 187; is displeased with Lake, 188; becomes Lord High Admiral, 205; administrative reforms patronised by, 206; asks that Suffolk may be leniently treated, 210; interferes in the election for the Recordship,

BUC

217; writes to Cottington on the Boliman mediation, 283; urges James to defend the Palatinate, 332; is irritated by the news of Dutch outrages in the East, and deserts the war party, 353; courts Lady Catherine Manners, 354; marriage of, 357; wishes Sir E. Cecil to command the volunteers for the Palatinate, 358; brings forward a plan for the partition of the Dutch Republic, 359; favours the Spanish attack on the Palatinate, 365; supports the monopoly of gold and silver thread, iv. 12, objects to the withdrawal of the patents, 21; alleged participation in the profits of the gold and silver thread monopoly, *ib.*; is alarmed at the proceedings against Mompesson, and attacks the referees, 45; consults Williams, 51; resolves to throw over the monopolists, 52; quarrels with Southampton, 54; visits Bacon, 72; advocates a dissolution of Parliament, 85; abandons Bacon's defence, 87; raises points in Bacon's favour, 89; asks that Bacon may not be summoned to the bar, 93; charge brought by Yelverton against, 112; wishes the King to punish Yelverton, 113; moves that Yelverton shall be censured by the Lords, 114; boasts that he is 'Parliament proof,' 116; sets the political prisoners at liberty, 137; application of the Dutch Commissioners to, 186; is hostile to the Dutch, 226; becomes security for the repayment of money advanced by Mandeville, 227; betrays Frederick's correspondence to Gondomar, 228; urges the dissolution of the Parliament of 1621, 265; congratulates Gondomar on the dissolution, *ib.*; wishes to buy York House from Bacon, 277; purchases Wallingford House, and gets possession of York House, 279; is on friendly terms with the Howards, and is almost persuaded to become a Roman Catholic, *ib.*; is confirmed together with many of his relations, 280; is present at conferences between White and Laud on one side, and Fisher on the other, *ib.*; offers to treat Laud as a confessor, 281; complains to Gondomar of the state of the negotiations for the marriage treaty, 354; buys New Hall, 364; is in a warlike mood after the fall of Heidelberg, 365; nature of the influence exercised over Charles by, 368; employs Porter to carry on a correspondence with Gondomar, 370; opposes James in the Council, 373; proposes the levy of another Benevolence, 375; is to fetch home the Infanta, 409; exercises influence over Charles, v. 1; acquaints James with his intention of taking the Prince to Spain, 2; persuades James to consent to the journey to Spain, 3; threatens Cottington for opposing the journey, 5; wishes to be reconciled with those whom he had offended, *ib.*; sets off for Spain,

BUR

6, arrives in Paris, 7; outcry in England against, 9; reaches Madrid 10; is presented to Philip IV., 13; assures Olivares that the Prince has not come to be converted, 14; writes to James about the Infanta's beauty, 19; informs Olivares that he has no power to grant liberty of worship in England, 20; refuses to surrender a fortress to the English Catholics, but is satisfied with the promises of Olivares, 23; is offended at the transference of the Electorate, 25; offers to listen to a conference on religion, 28; takes part in a theological disputation, 29; expects to be able to return soon, 31; quarrels with Don Francisco Giron, 34; behaves with rudeness at a religious conference, 35; takes Charles to the English service at Bristol's house, 37; quarrels with Olivares, 38; threatens the Nuncio, 42; informs Olivares that the Prince intends to leave Madrid, 49; offers to engage that the laws against the Catholics shall be repealed, 47; is angry at the announcement that the Infanta is to remain in Spain after the marriage, 48; is irritated by the decision of the Junta of Theologians, 51; is created a Duke, 54. *See* Villiers, Sir George; Villiers, Lord; Buckingham, Earl of; Buckingham, Duke of

Buckinghamshire, muster of trained bands in churchyard in, viii. 111; difficulty in obtaining payment of coat-and-conduct money in, ix. 141; levy of soldiers resisted in, 160; petitioners from, x. 149; gentry and freeholders of, ride up to support Parliament, 154

Bucquoi, Count, commands the Imperialists in Bohemia, iii. 271; defeats Mansfeld, 304; is defeated and slain, iv. 205

Budweis, remains in the hands of the Imperialists, iii. 278

Bufalo, Cardinal del, sends a message to James, i. 140

Buildings, fines on, commission for imposing, ii. 305; remission of, 306

Bullion in the Tower, seized by the King, ix. 170

Bungay, Brent's report of the metropolitanical visitation of, viii. 109

Burgess, Dr. Cornelius, presents the petition of the clergy to the King, ix. 207; preaches before the House of Commons, 237; urges that the revenues of deans and chapters may be applied to Church purposes, 379

Burghley, Lord, 1571-1598 (William Cecil), reproves Essex, i. 103

Burntisland, Charles is nearly drowned in crossing from, vii. 290

Burton, Henry, is dismissed from Court and becomes Rector of St. Matthew's in Friday Street, vii. 12; criticises Cosin's *Devotions*, *ib.*; publishes *For God and the King*, viii. 226; is tried and sentenced in the Star Chamber,

BUS

- 228; stands in the pillory, 231; is imprisoned in Guernsey, 233; the Commons order the liberation of, iv. 235; enters London in triumph, 242; the Commons vote reparation to, 293, his *Protestation Protested*, x. 55
- Bustamante, Francisco de, surrenders Fort Puntal, vi. 17
- Buttevant, Lord, 1581-1617 (David Fitz-James), writes to Salisbury on the treatment of the Catholics in Munster, i. 399
- Button, Sir Thomas, is a member of the Council of War, v. 223
- Buwinckhausen de Walmerode, Benjamin, sent by the Union as ambassador to James, iii. 330; his reception, 333; asks James to defend the Palatinate, 339; leaves England, 341
- Byrnes, of Wicklow, the treatment of, by Falkland, viii. 21
- Byron, Sir John, appointed Lieutenant of the Tower, v. 112; secures the Tower for the King, 134; is summoned before the Lords, 154; refuses to leave the Tower, 155; is unable to maintain the Tower against Skippon, 162; is superseded by Conyer, 165
- CABINET COUNCIL, introduction of the term, ix. 293
- Cadenet, Marquis of, is sent to England to propose a French alliance, iii. 389
- Cádiz, expedition prepared in England against, vi. 10; the English fleet sails up the bay of, 15; smallness of the Spanish garrison of, 16; entrance of reinforcements into, 17; abandonment by the English of their attempt on, 20
- Caerlaverock Castle, is held for the King, ix. 2; is taken by the Covenanters, 207
- Cæsar, Sir Charles, buys the Mastership of the Rolls, ix. 7; use of the money paid by, 25
- Cæsar, Sir Julius, is a member of the first Parliament of James I., i. 163; is Chancellor of the Exchequer and a Commissioner of the Treasury, ii. 145; reports on the state of the exchequer, 199; asks for a grant of supply, 236; becomes Master of the Rolls, 260; gives his opinion on the preparation for a Parliament, 365; is appointed a Commissioner to examine Raleigh, iii. 141
- Calais, goods passed over the frontier of the Spanish Netherlands from, vi. 40; Buckingham proposes an attack on, 201; the post-boat rifled by a privateer from, vii. 389
- Calamy, Edmund, is one of the authors of the pamphlet known under the name of *Smectymnus*, ix. 390; preaches before the House of Commons at St. Margaret's, 415
- Calderwood, David, banishment of, iii. 227
- Calthorpe, Henry, defends the five knights, vi. 213; defends Valentine in the King's Bench, vii. 116

CAP

- Calvert, George, employed as a Commissioner to Ireland, ii. 295. *See* Calvert, Sir George, Baltimore, 1st Lord
- Calvert, Leonard, is deputed by Lord Baltimore to act as Governor in Maryland, viii. 180
- Calvert, Sir George, becomes Secretary of State, iii. 194; asks for supply, iv. 29; explains that the King allows liberty of speech, 30; makes a demand for money for an army, 32; announces James's wish to refer Bacon's case to a new tribunal, 68; gives explanations on the imprisonment of Sandys, 234; asks for an immediate grant of supply, 237; accepts Coke's explanation of the King's attack on the privileges of the Commons, 259; advocates a more decided policy in Germany, 411; reads the public articles of the marriage treaty at Whitehall, v. 68; negotiates with the Spanish ambassadors on the relaxation of the penal laws, 98; listens to a proposal from the Spanish ambassadors for the pacification of Germany, 131; votes against war with Spain, 178; resigns the Secretaryship and declares himself a Catholic, 309; is created Lord Baltimore, 310. *See* Calvert, George; Baltimore, 1st Lord
- Calvinism, character of, i. 16; opposition in England to its system of Church government, 18; its relation to Presbyterianism, 22; its relation to liberty, 24; Richard Montague's opposition to, v. 352; influence of, in England, 355; reaction against, 357; complaint of the Commons that Charles has discountenanced, vi. 316
- Cambridge, the University of, opposes the millenary petition, i. 150; James's visit to, ii. 320; vacancy in the Chancellorship of, vi. 115; election of Buckingham to the Chancellorship of, 116; influence of Sibbes at, vii. 260; resists Laud's claim to visit, viii. 147; gives 6,000*l* to the King, x. 212; Cromwell seizes the college plate on its way to the King from, 218
- Camerarius, Ludwig, predicts that Mansfeld will fail, v. 272
- Camerino, Cardinal, proposes to send Baronius's history to James, i. 225
- Camiola, Massinger's character of, vii. 337
- Canaries, the, Raleigh's visit to, iii. 113
- Canons, drawn up in 1604, i. 195; drawn up in 1606, 289; the Scottish, viii. 309; Charles abandons the Scottish, 363; the Assembly of Glasgow abolishes the Scottish, 373; drawn up by Convocation in 1640, ix. 143; the Commons condemn the new, 248
- Cant, Andrew, accompanies Montrose to Aberdeen, viii. 360
- Canterbury, Charles at, v. 333; Buckingham meets Bassompierre at, vi. 147
- Capel, Sir Arthur, presents a petition from Hertfordshire, ix. 224; declares that the

CAP

- Lords ought to compel Stafford to answer, 294; supports Pym's proposal to compel the Londoners to lend, 295
- Capuchins, of Henrietta Maria's household, the, Chateaufort proposes to place a bishop in charge of, vii. 106
- Carapana, a chief on the Orinoco, ii. 374
- Cardenas, Alonso de, publishes a statement about Charles's negotiation with the Emperor, viii. 377; is suspended from intercourse with the Court, 378; bargains for the purchase of gunpowder for Oquendo's fleet, iv. 61; tells Windebank that he does not hope to obtain money from Spain, 62; bargains with Newport for the transport of soldiers to Dunkirk, 64; hears of the attack on the fleet in the Downs, 67
- Cardinal Infant, the (Ferdinand), succeeds the Infanta Isabella as Governor of the Spanish Netherlands, vii. 346, in conjunction with the King of Hungary takes Ratisbon and defeats the Swedes at Nordlingen, 372; is unable to send money to Charles, 384; invades France, viii. 161; attempt of Charles to obtain the acknowledgment of his fishing licences from, 218; sanctions a negotiation of Gerbier with the Princess of Pfalzburg, 377; refuses to lend Spanish troops to Charles, 387
- Carew, Lord, 1605 (George Carew), sent to report on the plantation of Ulster, i. 441; pleads for Raleigh, iii. 135; is a member of the Council of War, v. 223; is created Earl of Totness, vi. 50. *See* Carew, Sir George, Totness, Earl of
- Carew, Sir George, is President of Munster, i. 364. *See* Carew, Lord
- Carew, Sir George, becomes Master of the Wards, ii. 148; death of, 206
- Carew, Thomas, his lines on the death of Gustavus, vii. 208
- Carey, Lady, has charge of Prince Charles, iii. 36
- Carey, Sir George (*Lord Deputy of Ireland*, 1603-1604), protests against the scheme for the alteration of the coinage, i. 372; is recalled, 373
- Carey, Sir Robert, carries the news of Elizabeth's death to James, i. 86
- Carleton, Lord, 1626 (Dudley Carleton), is sent on a mission to France, vi. 136; informs Louis of the expulsion of the Queen's French attendants, 137; is recalled, 138; acquaints Joachimi with Buckingham's negotiation with Spain, 162; is sent on a mission to the Hague, 163; remonstrates against the building of French ships in Dutch harbours, 187; becomes Buckingham's confidant and is created Viscount Dorchester, 341. *See* Carleton, Sir Dudley; Dorchester, Viscount
- Carleton, Sir Dudley, is sent as ambassador to the Hague, ii. 396; fails in obtaining the execution of the Treaty of Xanten, 397; is a candidate for the

CAR

- Secretaryship after Winwood's death, iii. 101; complains that he has not been rewarded by the East India Company, iv. 79; complains of Frederick, 211; urges the Prince of Orange to allow Dunkirk privateers to escape from Leith and Aberdeen, v. 80; demands the arrest of the Dutch captains who had attacked a privateer at Leith, 83; raises a loan for Mansfeld's army, 335; is made Vice-Chamberlain and a Privy Councillor, and sent, together with Holland, on a mission to France, to mediate peace between Louis and the Huguenots, vi. 39; negotiates, together with Holland, a peace in France, 50; announces that the English ships which had been used against Rochelle will soon be restored, 85; defends the imprisonment of Eliot and Digges, 109; narrates his experience of the misery of France, as a warning against obliging the King to discontinue Parliaments, 110; asks the Commons to clear Eliot of all that he has done as a member, 112; informs the House that Eliot has been liberated, 113; is made Lord Carleton, 115. *See* Carleton, Lord; Dorchester, Viscount
- Carlisle, to be put in a state of defence, viii. 344; Cumberland sent to command at, 385
- Carlisle, 1st Earl of, 1622-1636 (James Hay), is sent to Paris to prevent obstacles being thrown in the way of the Prince's journey, v. 8; takes part in the banquet after James had sworn to the public articles of the marriage treaty with Spain, 60; votes in the Committee on Spanish affairs for war with Spain, 177; conducts Mansfeld to Rochester, 223; is sent as special ambassador to France to conduct the negotiations for the marriage treaty, 248; his reception in Paris, 249; acquaints James with La Vieuville's demands for the Catholics, 252; appeals to the Queen Mother, 256; is indignant at the terms required by Richelieu, 259; advises Charles to threaten the French ambassador, 268; informs Charles that the French will not make a league with him, 327; Eliot's opinion of, 399; tries to irritate the Peers against Bristol, vi. 97; is sent on a mission to the Continent, 218; is sent to Lorraine and Italy, 332; opposes Richelieu, 370; recommends a Spanish alliance, 371; returns from his mission, 373; splendid hospitality of, vii. 105; receives a grant in lieu of the repayment of the debt owed to him, 166; assures Panzani that he is ready to accept all the doctrines taught at Rome except that of the Pope's deposing power, viii. 137. *See* Hay, Lord; Doncaster, Viscount
- Carlisle, 2nd Earl of, 1636 (James Hay), acknowledges that he has voted against his conscience, ix. 111
- Carlisle, Countess of, is the reigning beauty

CAR

- at Whitehall, viii. 156; supports Leicester's candidature for the Secretaryship, ix. 85; her friendship for Stafford, 86, her political alliance with Pym, 376; informs Essex that Charles is coming to the House, x. 136; wishes Charles to delay his departure from Whitehall, 149
- Carnarvon, Earl of, 1628 (Robert Dormer), criticises *The Floating Island*, viii. 150
- Caron, Noel de, Dutch ambassador in England, is allowed to levy a regiment in Scotland, i. 207; asks James to surrender the cautionary towns, ii. 385; proposes a negotiation about the disputes in the East, iii. 171; regrets the alienation between England and the Dutch, iv. 220; death of, v. 332
- Carondelet, Auchdeacon of Cambrai, James complains of Charles and Buckingham to, v. 194; has a private audience of James, 207; his secret intercourse with the King discovered by Williams, 210
- Carr, Sir Robert, early life of, ii. 42; acquires the manor of Sherborne, 46, urges James to dissolve Parliament, 109; is created Viscount Rochester, xii. See Rochester, Viscount
- Carrickfergus, Wandesford expects the Irish army to rendezvous at, ix. 156; the infantry of the army at, 183
- Cartignana, Count of, Savoyard ambassador in England, ii. 137; returns to Turin, 140
- Cartwright, Thomas, wishes magistrates to assist the clergy in maintaining discipline, i. 25; defends Presbyterianism against Whitgift, 27, attacks the Separatists, 38
- Cartwright, William, his *Royal Slave* performed at Oxford, viii. 152
- Carvajal, Donna Luisa de, lives in England, ii. 221, is imprisoned, 222; release of, 223
- Carver, John, first governor of New England, iv. 162; death of, 168
- Cary, Lorenzo, is promoted by Charles in spite of Wentworth's wish, viii. 38
- Cary, Lucius, is dismissed from the Irish army, and challenges Sir Francis Wilmoughby, viii. 255, succeeds his father as Viscount Falkland, 256. See Falkland, Viscount
- Cary, Sir Henry, is created Viscount Falkland, iv. 38. See Falkland, Viscount
- Cavale, Richelieu raises the siege of, vii. 99
- Castara, Habington's, vii. 340
- Castelnaudary, defeat of Montmorency at, vii. 213
- Castle Chamber, the Irish Court of, punishes the jurymen who acquitted Mead, i. 371; attempt to suppress recusancy by means of, 392; petition against the assumed jurisdiction of, 393; resistance to the fines imposed by, 394; violent proceedings of, 395; abandonment of the attempt to impose fines on recusants in, 399; the Galway jury summoned before, iii. 69

CAT

- Castleton, Samuel, sent to the Spice Islands, iii. 167
- Catalonia, rebellion of, ix. 348
- Catesby, George, declares himself to be master of his own purse, vi. 202
- Catesby, Robert, consults Garnet, i. 99; hopes that the King of Spain will send an army to England, 140, 234. See Gunpowder Plot
- Catholics, the English, persecuted by Henry VIII., i. 10; and by Elizabeth, 14; grievances of, 96. expect better treatment from James, 97; intention formed by James respecting, 100; the recusancy fines again collected from, 101, support James's title, 108; plot formed amongst, 109; receive a promise that the fines will be remitted, 115, are urged by the Pope to abstain from insurrection, 140; James promises not to exact the fines from, 141; increase of, 143, banishment of their priests, 144; James's views on their treatment, 166; vacillation in James's intentions towards, 201; alarm taken by James at the increase in the numbers of, 202; Act of 1604 directed against, 203, the law put in force by the judges against, 221; attempt to deal with, by banishing the priests, and sparing the laity, 222; are harshly treated in Lancashire, 223; the recusancy fines demanded from the wealthiest, 224; the penal laws to be put in force against, 227; amount of the fines levied from, 228; Protestant view of the treatment of, 230; difficulties in the way of granting toleration to, 231; discontent among, 241; new laws against, after the Gunpowder Plot, 287; an oath of allegiance imposed on, 288; banishment of their priests, ii. 15; proposal to purchase toleration for, 18; persecution of, after the Gunpowder Plot, 16; contemplated toleration of, 30; continued ill-treatment of, 164; improved prospects of, 257, milder treatment of, iii. 345; James professes to engage himself by letter on behalf of, 346, are accused of rejoicing at Frederick's defeat in Bohemia, iv. 29; James refuses to persecute, 34, prospects of toleration for, 289; release from imprisonment of, 349; oath taken by the Privy Councillors not to exact penalties from, v. 69; discussion on the mode in which James is to give effect to the articles in the Spanish marriage treaty in relief of, 98; agreement made at Salisbury for the relief of, 99; James signs a pardon and dispensation for, 125; delay in the issue of the Acts in favour of, 126; continuance of the delay in relieving, 142; accident at Blackfriars to an assembly of, 16. : James explains his treatment of, 183; Bill for increasing the penalties of, 185; Eliot proposes to fit out a fleet with the fines of, 191; bitterness of feeling in England against, 206; petition for the execution of the penal laws against, 208;

CAT

Charles swears that they shall have no benefit by the French marriage treaty, 222; James confirms his son's declaration against, 225, refusal of the French Government to go on with the marriage treaty without including, 250; suspension of the proceedings against, 263; signature by Charles of an engagement in favour of, 277; suspension of the penal laws against, 278; order given by Charles to stay all proceedings against, 326; are informed that they must not expect relief till after the session of Parliament is over, 329; Seymour moves that the laws be executed against, 342; Charles declares his intention of executing the laws against, 373; disappointment of Henrietta Maria at Charles's failure to observe his promises to, 376; protests of the French ambassadors in favour of, 377; Williams advises Charles on the best mode of dealing with, 395; attack by the Commons on the issue of pardons to, 397; declaration of Buckingham that the laws will be executed against, 419; protests of the Bishop of Mende and Father Beulle on behalf of, 422; banishment of the priests of, vi. 3; remonstrances of Blainville on behalf of, 27; enforcement of the penal laws against, 32; are hindered from going to mass at Blainville's chapel, 70; attempt of Charles to buy off the opposition of Parliament by persecuting, 237; gracious reception by Charles of the petition of the Houses against, 246; the Commons complain of the favour shown to, 316; the Commons repeat their complaint of the lenient treatment of, vii. 57; converts to the doctrines of, viii. 127; improved condition of, 130; divisions amongst the clergy of, 131; numbers and moral position of, 132; Panzani's mission on behalf of, 133; Panzani reports the prevalence at Court of the doctrines of, 136; position of in Maryland, 180; Laud wishes that the laws may be executed against, 235; efforts of Con on behalf of, 236; numerous converts added to, 238; struggle between Laud and the Queen on the proposed execution of the laws against, 239; Charles modifies his proclamation against, 241; contribute to the war against Scotland, ix. 26; the Queen fears that the Short Parliament will persecute, 87; attempts made to get money from, 157; are placed in military command, 159; ill-feeling of the soldiers against, 172; supposed plot formed by, 227; are asked to fast in support of the Queen's intention, 233; are dismissed from the army in the North, 243; liberty of worship offered by Charles to, 252; the Commons demand an account of the contributions of, 260; both Houses ask the King to execute the laws against, 26; are thrown over by Charles, 272; demand of the

CEC

Lords for the disarmament of, 325; are questioned on their behaviour, 371; charges brought against, 375; renewal of the persecution of, 411; renewed fear of a plot formed by, x. 72; hard condition of, 97
 Catholics, the Irish. *See* Ireland
 Cautionary towns, surrendered to the Dutch, ii. 383
 Cavaliers, origin of the name of, x. 121; follow Lunsford to Kingston, 151; are dispersed by the Surrey trained bands, 158
 Cavan, Chichester's visit to, i. 404; treatment of the English settlers in, x. 66
 Cavendish, Lord, buys the earldom of Devonshire, iii. 215
 Cayenne, the, Raleigh arrives at the mouth of, iii. 116
 Cecil of Essendon, Lord, 1603-1604 (Robert Cecil), his views on the peace with Spain, i. 103; is informed of Watson's plot, 114; his conduct towards Raleigh, 117; supports Raleigh at his trial, 131; moves for a conference on purveyance, 170; advises James not to hasten the union with Scotland, 177; is unable to give good advice on ecclesiastical questions, 194; his opinion on the treatment of nonconformists, 199, 200; takes part in the negotiation with Spain, 203; explains that the Dutch will not suffer from the treaty with Spain, 209; becomes Viscount Cranborne, 214. *See* Cecil, Sir Robert; Cranborne, Viscount; Salisbury, Earl of
 Cecil, Sir Edward, commands the English troops at the siege of Juliers, ii. 98; is a candidate for the command of the volunteers for the Palatinate, and quarrels with Dohna, iii. 358; is a member of the Council of War, 388; speech in the House of Commons falsely attributed to, iv. 28; seconds Perrot's motion for the defence of the Palatinate, 129; is again member of the Council of War, v. 223; is appointed commander of the expedition against Cadiz, vi. 10; is dissatisfied with the force committed to him, 11; is promised the title of Viscount Wimbledon, 12; maintains order with difficulty in the fleet at Plymouth, 14; by the advice of a council of war he resolves to land at St. Mary Port, but on seeing Essex sail up Cadiz harbour orders the fleet to follow, 15; orders an attack on Fort Punta, 16; marches towards the north end of the island, 18; lets his men get drunk, and returns to Punta, 19; abandons the attempt on Cadiz, and sails to look for the Mexico fleet, 20; returns to England, 21. *See* Wimbledon, Viscount
 Cecil, Sir Robert, Secretary of State to Elizabeth, i. 82; enters into a secret correspondence with James, 83; his character and position, 90; is raised to the peerage, 101. *See* Cecil of Essendon,

CEL

- Lord ; Ciarborne, Viscount ; Salisbury, Earl of
- Celibacy, Massinger's opinion on, vii. 377 ; Panzani's report on English opinion on clerical, viii. 136
- Cervantes writes *Don Quixote*, i. 47
- Chaderton, Lawrence, takes part in the Hampton Court Conference, i. 153
- Chalcedon, Bishop of. *See* Bishop, William, and Smith, William
- Cham, surrender of, to the Bavarians, iv. 219
- Chambers, Richard, is committed by the Council for contemptuous words, vii. 4 ; applies for a *habeas corpus*, and is bailed, 16 ; is prosecuted in the Star Chamber, 5 ; addresses a petition to the Commons, 37 ; is sentenced in the Star Chamber, and refuses to acknowledge his offence, 85 ; brings an action against the Custom House officers, 86, questions the jurisdiction of the Star Chamber in the Court of Exchequer, 114 ; postponement of the case of, 168 ; attempts to obtain a decision on the legality of ship-money from the King's Bench, viii. 103 ; pays ship-money and brings an action against the Lord Mayor, 281, postponement of the argument in the case of, iv. 161
- Chancery, the Court of, attack by Coke on the jurisdiction of, iii. 10 ; Bill for the reform of, iv. 109
- Chancey, Sir William, case of, in the High Commission Court, ii. 122
- Chaplains, position of, vii. 304
- Charenton, visit of Holland and Carleton to the Huguenot church at, vi. 52
- Charity Mistaken*, written by Knott, viii. 260
- Charlemont, massacre of Irish women at, x. 175
- Charles III., Duke of Lorraine, mission of Walter Montague to, vi. 168 ; does nothing to support Buckingham, 176 ; Gaston takes refuge with, vii. 184 ; attack of Richelieu on, 195 ; surrenders three of his fortresses to France, 198 ; is driven into exile, 347
- Charles I. (*King of England, Scotland, and Ireland*, 1625), opinion of Ville-aux-Clercs on the character of, v. 317 ; defects of, as a ruler, 318 ; establishes himself at Whitehall, 319 ; wishes James's Parliament to meet after the King's death, 320 ; keeps order in his Court, 321 ; is eager to fit out the fleet to be used against Spain, and engages to supply money to the King of France, 323 ; gathers a land force, 324 ; is married by proxy, 325 ; orders all proceedings against the Catholics to be stayed, 326 ; his first interview with his wife, 333 ; his first matrimonial dispute, 334 ; enters London with the Queen, 335 ; financial engagements of, 336 ; opens his first Parliament, 337 ; tells the Commons that they have brought him into the war, 338 ; makes a good impression on the Com-

CHA

mons, 339 ; makes no definite demand 340, is not opposed to persecution, 344 answers the grievances of the Commons, and proposes to end the session, 348 ; listens to Laud, 363 ; financial difficulties of, 365 ; resolves to ask for a further grant, 366 ; objects to the committal of Montague, as being his chaplain, 372 ; adjourns the Houses to Oxford, and announces his intention of executing the recusancy laws, 373 ; domestic troubles of, 375 ; remonstrates with the Queen on the arrangement of her household, 376 ; orders the liberation of priests to accompany Effiat to France, 377 ; is in difficulty about Pennington's fleet, 378 ; double-dealing of, 379, is urged by the French to allow the fleet to be used against Rochelle, 381 ; sends further instructions to Pennington, 381, orders Pennington to return to Dieppe, and deliver his ships to the French, 382, is in a dilemma how to deal with the Catholics, 395, summons the Houses before him in Christchurch Hall, 403 ; asks for supply, and empowers Conway to explain his wants, 404 ; directs Sir J. Coke to give further explanations, 405 ; resolves to send the fleet to the Spanish coast, 406 ; sends a message to the Commons, begging for immediate supply, 423 ; insists upon dissolving Parliament, 430 ; dissolves his first Parliament, 432 ; continues his confidence in Buckingham, 433 ; with the consent of the Privy Council, banishes the priests and issues Privy Seals, vi. 3 ; is on bad terms with the Queen, 16 ; wishes the Queen to admit English Ladies of the Bedchamber to her service, 4 ; agrees to the treaty of Southampton with the Dutch, and breaks openly with Spain, 6 ; resolves to send Buckingham to the Hague to pawn the Crown jewels, and to attend the Congress, 7 ; reviews the fleet and troops at Plymouth, 12 ; makes excuses for his treatment of the English Catholics, 27 ; hesitates to restore a ship seized by Soubise, and refuses to discuss with Blainville the question of the Queen's household, 28 ; makes the Opposition leaders sheriffs, 33 ; declares that Wentworth is an honest gentleman, 35 ; orders the issue of writs for a new Parliament, 37 ; informs the Bishop of Mende of his resolution to introduce English ladies into the Queen's household, 38 ; orders French prize goods to be sold, 41 ; hesitates whether he shall proceed with the sale, 42 ; wishes to come to a compromise, 43 ; resolves to relieve Rochelle, 44 ; insists upon the fulfilment by Louis of the terms of the Treaty of Montpellier, 47 ; is displeased at the Queen's refusal to be crowned, 48 ; coronation of, 49 ; is displeased with the terms granted by Louis to the Huguenots, 53 ; orders Holland and Carleton to insist on the recognition

CHA

of their master's mediation, 54; treats the offer of French co-operation with coolness, 55; insists that the Queen shall witness a procession in the company of the Countess of Buckingham, 56; forbids Blainville to appear at Court, and demands his recall, 57; opens his second Parliament, 59; receives Richelieu's fresh overtures with coolness, 60; wishes Lord Lorne to marry Elizabeth Stuart, 71; sends Arundel to the Tower, 72; assures Tutness that the Commons shall not send him to the Tower, 75; demands justice on Clement Coke and Dr. Turner, 77; complains of the conduct of the Commons in attacking Buckingham, 78; urges the Commons to grant supply, 80; directs Coventry to inform the Commons that they have liberty of counsel, not of control, 82; tells the Commons that Parliaments are to continue or not according to their fruits, 83; allows the Commons to proceed with their inquiry into the conduct of the Government, 85; does his best to alienate France, 88; receives Blainville at his last audience, 89; allows Arundel to go to his own house, and orders Bristol to remain at Sherborne, 92; accuses Bristol of having tried to pervert him, 93; accuses Bristol of high treason, 95; informs the Lords that he is able to bear witness to the falsehood of Bristol's charges against Buckingham, 97; contests the right of the Lords to allow Bristol the use of counsel, 98; his authority at stake in Buckingham's impeachment, 99; is angry at Eliot's comparison of Buckingham to Sejanus, 107; testifies Buckingham's innocence to the Lords, and objects to their message about Arundel, 108; sends Eliot and Digges to the Tower, 109; waives his pretensions to give evidence against Bristol, and releases Digges, 112; orders Weston to state that Eliot is imprisoned on account of actions done out of the House, 116; liberates Eliot, having failed to discover proof that he is in league with Blainville, 113; asks the University of Cambridge to elect Buckingham Chancellor, 115; orders the Commons to desist from further inquiry into Buckingham's election, 116; threatens the Commons with a dissolution if they do not speedily grant a supply, 117; believes that to abandon Buckingham will be destructive of the constitution, 119; dissolves Parliament, 121; issues a proclamation for the peace of the Church, 122; calls in the Remonstrance of the Commons, and directs that Buckingham's case shall be tried in the Star Chamber, 123; attempts in vain to induce the City to lend him money, but obtains a small loan from the aldermen, 124; gets together a fleet to act against Spain, 126; proposes a free gift to the country, orders tonnage and

CHIA

poundage to be levied, and dismisses several justices of the peace, 125; orders musters to be held, 130; makes a forced requisition of ships for Willoughby's fleet, 132; financial distress of, 133; quarrels with his wife, 134; expels the Queen's French attendants, 136; rejects a proposal to debase the coinage, 138; hears of the Battle of Lutter, and resolves to send four regiments to Denmark, 140; arranges a new household for the Queen, and treats Bassompierre rudely, 141; determines to levy a forced loan, and issues a circular to the clergy, 143; is on better terms with the Queen, 145; dismisses Chief Justice Crew, 149; rejects the French ultimatum, 152; believes Richelieu to have been bribed by the Pope, and himself to have been always in the right, 159; sends Pennington to attack the French shipping, 160; refuses to treat separately with Spain, 163; hopes to retrieve the defeat of Christian IV., 164; sends Morgan with four regiments to help Christian IV., 165; fails to obtain money on the security of a jewel sent by him to Denmark, 166; sends Walter Montague to stir up discontent in France, 167; goes to Portsmouth to review the fleet for the relief of Rochelle, and issues instructions to Buckingham, 169; is eager to support Buckingham, 177; urges the Lord Treasurer and the Chancellor of the Exchequer to find money for the expedition, 178; repeats his orders, 179; sends reinforcements to Rhé, 180; is informed that he has no allies, 185; seizes three Dutch East Indiamen, 188; is anxious lest Buckingham shall not be relieved in time, 192; assures Buckingham of the continuance of his favour, 194; receives Buckingham cordially, 201; orders Montaigne to license Manwaring's sermon, 209; financial straits of, 219; resists all entreaties to make peace, 16; releases the prisoners confined for refusing to pay the forced loan, 225; orders writs to be issued for a new Parliament, and demands ship-money, 226; revokes his order for the payment of ship-money, 227; speaks at the opening of the Parliament of 1628, 231; thinks that he can buy off the opposition of the Commons by persecuting the Catholics, 237; lays the heads of his expenditure before the Commons, 239; is almost without support in the Commons, 240; receives graciously the petition of the two Houses against recusants, 246; asks for an immediate supply, and assures the Commons that he has no desire to entrench on their liberties, 248; is pleased by a vote in committee for five subsidies, 252; becomes less hopeful, 254; directs the Commons to remain sitting on Good Friday, 16; grows impatient, and demands an immediate supply, 255; tells the Commons

CHA

that he is as careful of their liberties as they are, 257; orders Denbigh to sail at all risks, *ib.*; orders Coventry to declare that his word must be trusted for the execution of the law, 263; wishes to know whether the Commons will rest on his royal word, 267; refuses to do more than to confirm Magna Carta and the six statutes, 270; loses patience at hearing that a Petition of Right has been prepared in the Commons, and thinks of dissolving Parliament, 275; argues in favour of his right to imprison without showing cause, and offers to disclose the cause as soon as is convenient, 277; considers it to be a point of honour to succour Rochelle, 291; is angry at Denbigh's failure, 292; orders Denbigh to refit his fleet, 293; questions the judges how far the Petition of Right will bind him, 294; asks the opinion of the Council on the answer to be given to the Petition of Right, 296; gives an evasive answer to Parliament, 297; threatens a dissolution, 301; forbids the Commons to lay scandal on his ministers, 302; hesitates to resist both Houses, 307; withdraws his prohibition to the Commons to inquire into the state of affairs, 308; assents to the Petition of Right, 309; makes minor concessions, but refuses to dismiss Buckingham, 318; imposes a fine on the City for its failure to discover the murderers of Dr. Lambe, 320; answers the remonstrance of the Commons, *ib.*; refuses to allow the Commons to make a temporary grant of tonnage and poundage, 322; declares his intention to prorogue Parliament, 323; states his case respecting tonnage and poundage, 324; prorogues Parliament, 325; his case against the Commons, *ib.*; makes unpopular ecclesiastical appointments, 329; pardons Manwaring, and gives him the living of Stanford Rivers, 330; hopes to obtain from Spain a support for his foreign policy, 331; sends Carlisle to Lorraine and Italy, 332; informs the Prince of Orange that he wishes to make peace with Spain, 333; visits Southwick, 345; is unwilling to negotiate at once with France for peace, 347; hears of Buckingham's murder, 351; intends to erect a monument to Buckingham, 356; abandons the idea, 357; has no favourite after Buckingham, 359; takes the direction of the government, 360; foreign policy of, 361; sends Lindsey to the relief of Rochelle, 363; sends Morgan to relieve Glückstadt, and converses with Contarini on the terms of peace with France, 366; is on good terms with his wife after Buckingham's death, 367; rejects the French overtures, *ib.*; orders Lindsey to persevere, 368; impression made by the fall of Rochelle on, 369; is reconciled to Arundel and Cottington, 371; delays sending aid to the King of Denmark, 372; hopes for a

CHA

Spanish alliance, and carries on a negotiation with France, 373; important bearing of the dispute about tonnage and poundage on the constitutional claims of, *vil.* 2; wishes to come to an understanding with Parliament on tonnage and poundage, 6; offence given by the ecclesiastical appointments of, 8, has no taste for dogmatic controversy, 20; issues a declaration to be prefixed to the Articles, 21; receives Abbot into favour, and grants pardons to Montague and others, 23; difficulties in the way of, 29; declares he has no intention of levying tonnage and poundage by prerogative, 33; denies that religion is in danger, 42; attack of the Commons on the ecclesiastical supremacy of, 43; orders the reprieve of a condemned priest, 57; declares that the Custom House officers have acted by his authority, and are not responsible to the Commons, 64; hopes that the Commons will reconsider their position, 66; orders an adjournment, 67; sends for the mace, 74; intends to force open the doors of the House of Commons, 75; dissolves Parliament and orders the imprisonment of nine members, 77; publishes a declaration announcing his policy, 78; issues a proclamation against rumours of his intention to call a Parliament, 81; determines to punish Eliot, 82; is dissatisfied with the answers of the judges to Heath's questions on the case of the imprisoned members of the Commons, 89; orders that all the judges shall be consulted, 90; consults the judges on the jurisdiction of the Star Chamber over the imprisoned members of Parliament, 92; wishes to delay the decision of the King's Bench in favour of bailing the prisoners, 94; orders that the prisoners shall not be produced in court, 95; his conduct to the judges, 96; treats with several powers for the recovery of the Palatinate, 97; negotiates with Sweden and Denmark, 98; professes to be ready to help the King of Denmark if he had the means, 99; abandons the Huguenots in the treaty of Susa between England and France, 100; suspects Richelieu of wishing to tyrannise over the French Protestants, 102; is dissatisfied with Rubens' statement that it will be difficult to restore the Palatinate, and allows Gustavus to levy soldiers in England and Scotland, *ib.*; sends Roe on a mission to the Baltic, and wishes success to the Dutch, 103; opens negotiations with Spain, 104; venality at the Court of, 105; objects to the coming of a bishop to preside over the Queen's priests, 106; urges Rubens to obtain the surrender of the fortresses in the Palatinate, and sends Cottington to Madrid with instructions to come away if it is not promised, 107; proposes to arbitrate between Spain

CHA

and the States-General, 103; resolves to bring the imprisoned members of Parliament before the King's Bench instead of the Star Chamber, 109; proposes to the judges the terms on which bail is to be offered to the imprisoned members, 16; wishes Sir John Walter to retire from the Bench, 112; suspends Walter, 113; gives his confidence to Laud, 127; orders Bishop Howson to proceed no further against Cosin, 130; sends instructions to the Bishops, 131; enforces his Declaration on Religion impartially, 132; protests against the doctrines of Dudley's paper of advice, 140; revives the knight-hood fines, 167; has no European policy beyond a wish to recover the Palatinate, 169; receives Coloma at Whitehall, 170; is dissatisfied at the refusal of Olivares to engage to restore the Palatinate, and knights Rubens, 171; draws back from his demand that Spain shall give up the fortresses in the Palatinate, 172; proposes to Spain a league against the Dutch, 16., sends Anstruther to Ratisbon, and Vane back to the Hague, 173; distrusts Richelieu, 16.; tries to stand well with all Continental parties, 174; hears that a treaty has been signed at Madrid between himself and Spain, 175; speaks coldly of the peace with Spain, 177; sends Anstruther to Vienna and talks of assisting Gustavus, 178; disbelieves a rumour that Hamilton is meditating treason, 182; insists on Hamilton's sleeping in his bedchamber, and allows him to raise men in England, 183; does not countenance the schemes of his mother-in-law, 185; refuses to abandon Weston, 186; refuses permission to Mary de Medicis to visit England, 187; opens negotiations with Gustavus, 188; offers to join Spain and the Emperor, 190; cannot make up his mind whether to help Gustavus or not, 191; cruel treatment of Eliot by, 193; refuses to summon Parliament to ask for money for Gustavus, 16.; opens fresh negotiations with Gustavus, 194; rejects the terms offered by Gustavus, and makes counter-propositions, 196; orders Wake to propose to Louis a joint action in Germany, 197; receives St. Chaumont coldly, 199; allusions of Massinger to, 201; on the rejection of his terms by Gustavus recalls Vane and Anstruther, 205; hopes that Frederick will take the place of Gustavus, 207; the nobles of the Spanish Netherlands ask for the support of, 210; expects to have a part of Flanders ceded to him by Spain, 211; instructs Boswell to be present at the conferences between the States-General of the Spanish and those of the independent Netherlands, 212; learns that Spain will not cede to him territory in Flanders, 213; assures Louis that he will concur in the liberation of the obedient Netherlands, 214;

CHA

offers assistance to Oronsterna, 215; offers to join France in the war in Germany, 216; professes to abide by the constitution, 221; refuses to allow Eliot to leave the Tower, 226; orders that Eliot shall be buried in the Tower, 227; visits St. Paul's and appoints commissioners to collect money for its repair, 245; enforces his Declaration on religion at Oxford, 248; orders that the window broken by Sherfield shall be replaced with white glass, 257; issues an Act of Revocation in Scotland, 277; offers compensation to the tithe-owners, and partially suspends the Articles of Perth, 278; arranges a commutation of tithes in Scotland, 279; alienates the Scottish nobility, 280; is crowned King of Scotland, 281; orders the Prayer-book of the Scottish bishops to be submitted to Laud, 282; approves of Laud's advice to introduce the English Prayer-book into Scotland, 283; takes down the names of voters in the Scottish Parliament, 289; directs the Scottish bishops to draw up a new Prayer-book, and returns to England after being nearly drowned at Burntisland, 290; directs the Scottish clergy to appear in white, 291; is shown the supplication of the Lords of the Opposition, 294; orders proceedings to be taken against Balmerino, 295; pardons Balmerino, 296; takes Hamilton for his adviser on Scottish affairs, 297; promotes Scottish bishops to places of authority, 298; appoints Laud Archbishop of Canterbury, 299; directs Laud to place restrictions on ordination, 303; and to bring lecturers and chaplains to order, 304; supports Laud's objection to power being given to laymen to appoint or dismiss ministers, 305; interferes to enforce order in Paul's Walk, 308; removes the suit about the position of the communion-table at St. Gregory's to the Privy Council, 310; announces his decision, 311; forbids Richardson to put any obstacle in the way of the Somerset wakes, 320; orders the republication of the *Declaration of Sports*, 321; orders it to be read in churches, 322; spares the lives of the Lancashire witches, 325; suggests the plot of Shirley's *Gamester*, 331; sends Jermyn to prison and pardons him at the Queen's request, 339; neglects the League of Heilbronn, and consents to Nethersole's proposal to raise a benevolence, 343; withdraws his consent, 16.; gives instructions to Gerbier with regard to the proposed revolution in the Netherlands, 345; is betrayed by Gerbier, 346; is courted by France and Spain, 348; proposes to send Charles Lewis with an army to the Palatinate, but subsequently treats with Necolalde, and proposes to send Charles Lewis to join Feria, 349; makes offers to Spain, 351; unreality of the schemes of, 352; urges

CHA

the League of Heilbronn to make peace, 354; maintains Portland against Laud and Coventry, 356; resolves to levy ship-money, 357; orders the seizure of Coke's papers, 359; is pleased with Holland's extension of the Forest of Dean, 364; legal character of the absolutism of, 365; is angry with the Dutch on hearing that they wish the French to join in an attack on Dunkirk, 366; rejects overtures made to him by France, and orders the preparation of a treaty with Spain, 367; proposes to arm a fleet to carry out the treaty for partitioning the Netherlands, 368; issues the first writ of ship-money, 369; continues to hope to recover the Palatinate, 372; urges Elizabeth to rely on his diplomacy, 373; is his own foreign minister, 379; orders Hopton to conclude a treaty at Madrid, 380; names commissioners to treat with Seneterre and Pougny, but orders them to spin out time, 381; obtains a copy of the treaty between France and the States-General for the partition of the Spanish Netherlands, and orders attention to be paid to the musters, 382; is anxious that his agreement with Spain should not be committed to writing, 383; issues instructions to Lindsey, *ib.*; receives no money from the Spaniards, 384; rejects Richelieu's compromise about saluting his flag, 386; is left without allies, 387; sends to Ireland the first draft of the *Graces*, viii. 13; orders a committee to be appointed to investigate the case of the Byrnes, 23; relations of Wentworth with, 37; promotes Lorenzo Cary against Wentworth's wish, 38; orders the dissolution of the Irish Parliament, 52; wishes to give to the Queen a part of the fine imposed by the Star Chamber on the City of London, 60; rejects the French overtures about the Palatinate, 83; remits Southampton's fine, and issues a commission to take compositions for encroachments on the forests, 86; orders a wall to be built round Richmond Park, 87; disapproves of Laud's resistance to his plan, 88; Laud's complaint of the selfishness prevailing in the Court of, 89; refuses to punish Bagg, 91; consults the judges on the legality of ship-money, 94; legal and political view of his claim to levy ship-money, 95; offers to ally himself with the Emperor, and proposes an exchange of Lorraine for the Palatinate, 97; insists that the French ambassadors shall give the title of Electoral Highness to his nephew, 99; is gratified by Nicolalde's use of the title, and rejects the French proposals, 100; resolves to send Arundel to Vienna, 102; enforces the payment of ship-money, *ib.*; refuses to excuse the children born in England of foreign parents from using the English Prayer-book, 121; appoints Windebank to receive Panzani, 133;

CHA

authorises Windebank to treat on the reunion of the churches, and selects an agent to reside at Rome in the Queen's name, 138; behaves reverently in the Queen's chapel, 139; draws back from Panzani, 140, makes Juxon Treasurer, 141; orders Laud to take proceedings against Lady Purbeck, 145; refuses to allow Lady Purbeck to return to England, 146; proposes to visit Oxford, 148; visits Oxford, 150; want of enthusiasm in the streets during the visit of, 153; orders copies of Selden's *Mare Clausum* to be officially preserved, 154; sends out the second ship-money fleet, 156; draws up Arundel's instructions, 158; refuses Arundel's request to be recalled, 160; orders Leicester to make overtures to Louis, 161; sends Windebank for a short time to prison, and carries on negotiations with France in a hesitating way, 162; recalls Arundel, 163; continues vacillating, *ib.*; theory on which his government rests, 182; does not fulfil Wentworth's expectations, 183; approves Wentworth's defence of his government of Ireland, 197; is displeased at Danby's protest against ship-money, 201; shrinks from summoning Parliament, and from going to war, 202; declares that he will take up his nephew's cause against the House of Austria, 203; proposes to lend ships to his nephew, 204; terms offered by Richelieu to, *ib.*; consults the judges on the legality of ship-money, 206; accepts Richelieu's terms and prepares to send his nephew to sea, 210; applies to Wentworth for advice on the proposed alliance with France, 211; is disappointed of the French alliance, and turns to Spain, 217; attempts to persuade the Dutch fishermen to take licences, 218; directs Gerbier to obtain the support of the Cardinal Infant, 219; orders an attempt to be made to distribute licences to the Dutch fishermen, 220; nature of the government of, 221; does not share in Laud's wish for the execution of the laws against the Catholics, 235; his friendly intercourse with Con, 236; declares his intention of providing a remedy against the Catholic conversions, 239; struggle between Laud and the Queen for influence over, 240; modifies his proclamation against the Catholics, 241; thinks of pardoning Williams, 252; leaves Williams to the Star Chamber, 253; wishes Con to procure the banishment of Knott, 261; hastens on the publication of *The Religion of Protestants*, 262; is ready to have the legality of ship-money argued in open court, 271, on the decision of the judges in his favour, acts as if there could no longer be any doubt as to his right to ship-money, 280; levies compositions for forest fines, 282; establishes new corporations, 283; is in-

CHA.

interested in material improvements, 292 ; offers to take the drainage of the Great Level into his own hands, 296 ; undertakes the work, 298 ; isolation of, 299 ; underestimates his difficulties, 300 ; his ignorance of the Scots, 304 ; directs the Scottish bishops to prepare a Prayer-book and Canons, 307 ; issues canons for the Scottish Church, 309 ; orders the adoption of the new Prayer-book, 312 ; orders the Scottish Privy Council to suppress disturbances, 317 ; finds himself unsupported by the Council, 319 ; orders the Council to postpone the enforcement of the use of the Prayer-book, but to take repressive measures, and to remove itself and the Court of Session from Edinburgh, 321 ; issues a proclamation declaring that he does not intend to break the laws of Scotland, and sends for Traquair, 326 ; issues a proclamation in defence of the Prayer-book, 327 ; postpones a decision on the affairs of Scotland, 335 ; appoints Northumberland Lord Admiral, 338 ; sends Hamilton to negotiate with the Scots, 339 ; gives Hamilton two alternative declarations, 342 ; instructs Hamilton to spin out his negotiations, 343 ; prepares for war, 344 ; refuses to accept the Covenant, 345 ; consults the English Council on the affairs of Scotland, 349 ; orders the formation of a committee for Scottish affairs, and finds that he has no money for carrying on a war, 350 ; authorises an Assembly and Parliament in Scotland, 360 ; offers a Covenant of his own, 361 ; abandons the Scottish Prayer-book, Canons, and High Commission, and issues his Covenant in a revised form, 363 ; summons an Assembly and Parliament to meet, *ib.* ; objects to the claim of the Assembly to a Divine right, 366 ; informs Hamilton that he is preparing for war, 368 ; is driven into war with Scotland, 374 ; foreign relations of, 375 ; sends money to his nephew, 376 ; orders Gerbier to carry on a secret negotiation with the Princess of Pfalzburg, 377 ; protests against a statement of Cardenas, *ib.* ; remonstrates with Mary de Medicis on her proposed visit to England, 379 ; receives Mary de Medicis, 380 ; is displeased at Bernhard's success, 381 ; is inclined to negotiate with the Scots, 382 ; prepares for war, 383 ; orders an army to be raised, 384 ; numbers of the army of, 385 ; asks for a loan of Spanish soldiers, 386 ; repeats his request to the Cardinal Infant, 387 ; orders the publication of Laud's *Conference with Fisher*, and issues a proclamation accusing the Scots of wishing to plunder England, 390 ; his plan of campaign, ix. 1 ; loses the fortresses in Scotland, 2 ; arrives at York and recalls some of the monopolies, 6 ; demands a general contribution, 7 ; treachery suspected in the ministers of,

CHA.

ib. ; advice given by Wentworth to, 8 ; draws up a proclamation offering land at low rents to the loyal tenants of rebels, 9 ; advances to Durham, 13 ; sends Aboyne to the Forth, 15 ; issues a fresh proclamation offering not to invade Scotland, 16 ; orders Hamilton to negotiate and sends for reinforcements, 17 ; poor quality of the army of, 18, resolves to advance to Berwick, and writes to Hamilton to be ready to join him at a moment's notice, *ib.* ; receives an answer to his proclamation, 21 ; arrives at Berwick and encamps at the Birks, 22 ; sends Arundel to read his proclamation at Dunse, 23 ; intends to take the aggressive, but is in difficulty for money, 24 ; demands a loan from the City, 26 ; despondency in the camp of, 29 ; summons Hamilton to Berwick, and acknowledges that Englishmen will not take his part against the Scots, *ib.* ; witnesses the arrival of Leslie's army at Dunse Law, 30 ; begs Wentworth to send a large force to Scotland, 33 ; cannot keep his army together, 35 ; receives overtures from the Scots, 36 ; takes part in the negotiation for peace, 38 ; dialectical skill of, *ib.* ; presses the City to lend money, 39 ; accepts the Treaty of Berwick, 40 ; disagrees with the Covenanters on the mode of providing pay for a force to be sent to aid his nephew, 42 ; difficulties in the way of the re-establishment of his authority in Scotland, 43 ; summons bishops to the Assembly of Edinburgh, 44 ; believes his conversation to be misrepresented in Scotland, 45 ; abandons the intention of visiting Edinburgh, and has an altercation with the leaders of the Covenanters, 46 ; gives instructions to Traquair and returns to Whitehall, 47 ; orders the Scottish report of his conversations at Berwick to be burnt, and directs the bishops to protest against the legality of the Assembly, 48 ; his plan for the reconstitution of the Lords of the Articles, 51 ; refuses to rescind the Acts in favour of episcopacy, 52 ; objects to the constitutional and legislative changes voted in the Scottish Parliament, 54 ; distributes honours amongst his supporters in Scotland, 55 ; hopes that Bernhard of Weimar will aid in the recovery of the Palatinate for his nephew, 56 ; again seeks help from Spain, 57 ; orders Pennington to prevent Tromp from searching English vessels, 58 ; offers to protect Oquendo's fleet, 59 ; offers terms to the Spaniards, 61 ; sends contradictory directions to Pennington, 62 ; makes offers to Richelieu, 63 ; expects that Charles Lewis will obtain the command of Bernhard's army, 64 ; orders Pennington to protect Oquendo, 65 ; advises Oquendo to prepare for the worst, 66 ; is angry at the Dutch victory in the Downs, 68 ; is displeased at his nephew's

CHA

imprisonment, 70; allows the prosecution of Lord Loftus of Ely, 72; takes Wentworth as his chief counsellor, 73; sends Loudoun and Dunfermline back to Scotland, and orders the prorogation of the Scottish Parliament, 74; announces his intention of summoning a Parliament in England, 77; suspicions felt of his intentions to overawe the Short Parliament, 78; refuses to appoint Leicester Secretary, 86; appoints Vane Secretary, 87; refuses to give his eldest daughter to the son of the Prince of Orange, but offers his second daughter, 89; instructs Hoppon on the language to be held by him on the fight in the Downs, 90; believes Richelieu to be the cause of his Scottish troubles, 106; obtains the letter written by the Covenanters to the King of France, 92; discusses his powers with the Scottish Commissioners, 93; gives them reason to think that he does not intend to allow the abolition of episcopacy, 94; sends to Louis a copy of the letter of the Scots, which he considers to be treasonable, and imprisons the Scottish Commissioners, 97; orders the letter of the Scots to be read to the Short Parliament, 98; summons the Houses before him and orders Finch to explain that he is ready to give up ship-money if a fleet be supported in another way, 107; appeals to the Lords against the Commons, 108; gives his full support to Strafford, 110; agrees that the ship-money judgment may be reversed in the House of Lords, and declares that he will be content with eight subsidies, 113; dissolves the Short Parliament, 117; consults the Committee of Eight on the best mode of carrying on war against the Scots, 120; is estranged from the nation, 128; issues a declaration explaining the dissolution of the Short Parliament, and imprisons members of Parliament, 129; threatens the Lord Mayor and imprisons four aldermen, 130; is disappointed by the silence of the Spanish ambassadors on the subject of a proposal of marriage, 131; hesitates to persist in measures of repression, 132; calls out the trained bands of the counties round London, and tries to regain popularity, 135; abandons Strafford's policy of enforcing obedience, 136; visits Strafford when he is ill, 139; persists in the war with Scotland, 140; finds an insulting inscription on a window at Whitehall, 142; orders the continuance of the sittings of Convocation, 146; his deposition canvassed in Scotland, 149; orders the Lord Mayor to distrain for ship-money, 153; thinks first of using force against the City, and then of negotiating with the Scots, 154; attempts to obtain a loan from France and Genoa, 157; want of enthusiasm in the army raised by, 158; places Catholics in military

CHA

command, 159; issues commissions of array for the army against Scotland, 162; sets Loudoun at liberty, 168; orders the prosecution of the Lord Mayor and sheriff for neglect in the collection of coat-and-conduct money, 169; orders the seizure of the bullion in the Tower, 170; resolves to debase the coinage, 171; continued irresolution of, 173, is angry with the renewed refusal of the City to lend, and insists on proceeding with the debasement of the coinage, 174; again proposes to negotiate with the Scots, 177; vacillates between a peaceful and a warlike policy, 182; announces his intention of going to York, 187; orders reinforcements to be sent to the army, and ship-money to be collected, 188; raises money on a consignment of pepper, and induces the trained bands of Durham and Yorkshire to support him, 190; asks the Council what is to be done if the Scots march on London, 199; refuses to despair, 200; summons the Great Council, 201; complains of the timidity of the Privy Council, 202; holds a review of the army, 203; receives affably the offer of the Yorkshiresmen to pay their trained bands, and makes Strafford a Knight of the Garter, 204; hesitates to call a Parliament, and accepts Hamilton's proposal to betray the counsels of the Scots, 206; receives petitions from London and from the clergy, and opens the Great Council, 207; announces that he intends to summon Parliament, and asks the Great Council to provide means for keeping the army on foot, 208; insists upon retaining power over the castles in Scotland, 209; wishes the negotiation with the Scots to be removed to York, 212; allows the negotiation to be continued at Ripon, 214; gives his consent to the agreement with the Scots, 215; his opinion on his prospects in meeting Parliament, 217; struggle for sovereignty between the Long Parliament and, 218; is prevented by the presence of the Scottish army from dissolving Parliament, 219; accepts Lenthall as Speaker, 220; sends for Strafford, 221; difficulty in trusting, 225; resolution of the Commons not to hold responsible, 226; orders Vane's paper to be burnt, 229; is advised by Strafford to accuse the Parliamentary leaders, 231; reviews the soldiers at the Tower, 232; wishes to be present at the meetings of the English and Scottish Commissioners, 238; refuses to give up the incendiaries to the Scottish Parliament, 242; consents to a marriage between his eldest daughter and Prince William of Orange, and expects the Prince of Orange to assist him in his quarrel with Parliament, 244; declares that he will not allow Parliament to punish his servants, 245; offer of the Commons to provide for the subsistence

CHA

of, 250, is reported to have offered liberty of worship to the Catholics if he is successful by the Pope's aid, 252, tells Bristol that he means to resist Parliament, *ib.*; promises the Scots not to employ anyone condemned by their Parliament, 253; wishes to keep the Irish army together for future service, 255; has no feeling against asking for foreign aid, 257; declares that on three points he will not give way, *ib.*, poverty of the Court of, 259, informs the Dutch ambassadors of his wish for a political alliance, 262, announces that the judges are to hold office on good behaviour, and appoints Lyttelton Lord Keeper, 263, appoints St. John Solicitor-General, 264, sends for the Houses on the occasion of the demand of the Commons for Goodman's execution, 265; declares that he will put away all innovations, but will not turn the bishops out of the House of Lords or assent to the Triennial Bill, 267; fails to impart confidence in his sincerity, 268; is asked to put Goodman to death, 269; throws over the Catholics, 272; gains a respite by the compromise in the Commons on the subject of episcopacy, 287; informs the Houses of the completion of the Dutch marriage treaty, 288; is said to intend to dissolve Parliament and liberate Strafford, *ib.*; unites the Commons against him by menacing them with an Irish army, 289; gives the Royal assent to the Triennial Bill, 290; admits seven of the Opposition Lords to the Privy Council, 292; does not throw himself on the Peers' sense of justice, 293; fails to take the right course to save Strafford, 294; takes his seat in the House of Lords to hear the charges against Strafford read, 296; is indignant at the declaration of the Scottish Commissioners against episcopacy in England, 297; is present at Strafford's trial, 303; is anxious to save Strafford, 308; listens to proposals for obtaining a petition from the army, 309; hears of the plot for bringing the army up, 312; wishes Percy and Suckling to confer together, 315; refuses to concur in the project of bringing up the army, 317, injures Strafford by taking no notice of the reiterated request of Parliament for the disbandment of the Irish army, 323; is pleased at the disagreement between the Houses on Strafford's trial, 327; listens to Pym's reply to Strafford's defence, and again refuses to disband the Irish army, 334; assures Strafford that he shall not suffer in life, honour, or fortune, 340; sends money to the Northern army, and is believed to intend to put himself at its head, 342; alleged intention of, to take refuge in Portsmouth, then to summon the English and Irish armies to his aid, and to dissolve Parliament, 343; again refuses to disband the Irish army,

CHA

344, appears in the House of Lords to beg that some way of saving Strafford's life may be found, 346, authorises the Portuguese ambassadors to levy troops, and sends Billingsley to occupy the Tower, 348; talks of taking refuge with the Northern army, 357; gives Jermyn a licence to pass the sea, 360; offers to receive a deputation from the Houses about his assent to the Bill of Attainder, 363; learns that Goring has betrayed him, 364; takes the opinion of the judges and of some of the bishops, 365, mental conflict of, 366; consents to sign a commission giving the Royal assent to the Bill of Attainder, 367; writes to the Peers, *ib.*; effect of the Bill against the Dissolution of Parliament on, 373; is obliged to make appointments according to the wish of Parliament, 374; proposes to visit Scotland, 375; wishes to win over the leading Scots, 376; hesitates between the advice of Bristol and that of the Queen, 383; negotiation of the Irish Catholics with, 384; makes Digby a peer, 386; does not take interest in any scheme of Church reform, 387; asks Hyde to keep back the Root-and-Branch Bill, 388, tries to throw off the blame of complicity in Montrose's schemes, 398; engages in a second Army Plot, *ib.*; appends his initials to the petition entrusted to Legg, 399; responsible ministers proposed to, 401; consents to the disbandment of the Northern army, and the dismissal of Rossetti, 402; his last interview with Rossetti, 403; gives his assent to the abolition of the Star Chamber and of the High Commission, 404; issues a manifesto about the Palatinate, declares that he knows of no evil counsellors, and resolves to go to Scotland, 405; appoints Essex Lord Chamberlain, and listens to the advice of Williams, 409; his reasons for wishing to go to Scotland, 410; announces his intention of going to Scotland, 413; recommends the Lords not to oppose the Commons till he returns from Scotland, 414; is requested to remain in England, *ib.*; passes a Bill declaring ship-money illegal, and another limiting his forest claims, 415; consents to delay his journey for one day, and promotes Bristol and his partisans, 416; passes a Bill for confirming the treaty with the Scots, and another declaring knighthood-fines illegal, 417; sets out for Scotland, *ib.*; vacillates between two policies, 418; leaves England without a Government, x. 3; passes through the two armies, and enters Edinburgh, 5; ratifies the Acts of the Scottish Parliament, and tries to win over the Scots, 6; negotiates with the Irish Catholics, 7; advice of Nicholas to, 8; symptoms of a reaction in favour of, *ib.*; is unable, in his absence, to take advantage of the change of feeling, 9; is feasted in the Parliament House at Edinburgh,

CHA

- 18; is asked to appoint to offices in Scotland with consent of Parliament, 19; is mortified at finding that his proposals are objected to, 20; two letters of Montrose to, 22; is displeased with Hamilton, *ib.*; receives a third letter from Montrose, which he resolves to lay before some of the Lords, 23; vindicates himself from complicity with the Incident, 25; asks that the inquiry may be openly conducted, 26; is defeated, 27; attempts to gain a party in England, and to obtain evidence of the part taken by the Parliamentary leaders in bringing the Scots into England, 28; writes to Nicholas to give assurance of his constancy to the discipline and doctrine of the Church, 39; appoints new bishops, 41; offers religious liberty to the Irish Catholics, 46; asks the Scottish Parliament to assist in reducing the Irish Rebellion, 55; evidence of his part in the second Army Plot brought before the Commons, 73; prepares to return to England, 80; intentions formed by, 81; popularity needed by, 82; the wealthy citizens of London on the side of, 83; enters the City, and announces that he will defend the Protestant religion as established in the times of Elizabeth and his father, 84; is feasted at Guildhall, 85; dismisses the Parliamentary guard, 86; receives the Grand Remonstrance, 88; takes up a position of resistance, 89; his commission alleged to be given to Phelim O'Neill, 92; appoints Nicholas Secretary, and Lennox High Steward, and dismisses Vane, 94; directs the Lord Mayor to keep order in the City, 97; issues a proclamation commanding obedience to the laws in favour of the true religion, 98; names a commission to bring his expenditure within the limits of his income, and summons absent members of the Commons to return to their duties, 99; declares his readiness to assent to the Impressment Bill if a clause saving the rights of himself and his subjects is inserted, *ib.*; refuses to execute priests, 100; hesitates to proceed against the Parliamentary leaders, 107; appoints Lunsford to the Lieutenancy of the Tower, 108; answers the Grand Remonstrance, *ib.*; dismisses Newport from the Constableness of the Tower, 111; dismisses Lunsford, and appoints Byron to the Lieutenancy, 112; alleged overtures to the rebels in Ireland from, *ib.*; scheme proposed by the Irish Catholics to, 113; proposes to send volunteers to Ireland, and invites to dinner the officers who had chased the apprentices out of Westminster Hall, 120; orders a guard to be posted at Whitehall Gate, 122; takes the protest of the bishops from Williams, and orders it to be laid before the Lords, *ib.*; offers Pym the Chancellorship of the Exchequer, but changes his mind, and gives it to Cul-

CHA

pepper, making Falkland Secretary of State, 127, hears that the Parliamentary leaders mean to impeach the Queen, 128; resolves to secure the five members, 129; orders the Attorney-General to impeach them and Mandeville, 130; refuses a guard to the Commons except under his own authority, 131; orders the studies of Pym, Holles, and Hampden to be sealed up, 132; alienates the House of Lords by demanding the arrest of the accused members, *ib.*; takes counsel at night, 133; makes preparations to arrest the members in person, 134; his intention betrayed, 135; delays to act, 136; sets out from Whitehall, 137; orders his followers to remain outside the House of Commons, 138; enters the House, and asks for the five members, 139; declares that 'the birds are flown,' 140; withdraws from the House, 141; seeks the members in the City, 142; issues a proclamation for the arrest of the members, 143; orders Mandeville and the five members to be proclaimed traitors, and replies angrily to a petition from the City in their favour, 147; alienation of the City from, 148; is anxious for the Queen's safety, 149; leaves Whitehall, 150; hopes to secure Portsmouth and Hull, 152, wishes Danish soldiers to land at Hull, 153; goes to Windsor, and announces that he will have the five members tried in another way, 155; takes measures to secure Portsmouth, 156; converses with Heenvliet, 157; expects the Prince of Orange to help him, 158; on his failure to secure Hull, sends a conciliatory message to the Houses, 159; returns an evasive answer to the demand of the Commons for the fortresses and militia, 161; learns that the Lords have joined the Commons, and that the Prince of Orange refuses to help him, 163; returns a more satisfactory answer about the militia, 164; places Conyers in charge of the Tower, and gives his assent to the Bishops' Exclusion Bill, 165; assents to the Bill for pressing, 166; takes leave of the Queen, and sends for the Prince of Wales, 168; accepts Hyde as his counsellor, 169; intends to go to the North, 170; refuses to remain near Westminster, 171; absolutely refuses to give up the militia, 172; assures the Houses that he alone can settle the affairs of Ireland, 177; gives his consent to the scheme for confiscating lands in Ireland, 173; rumoured intention to use military force, 177; his reception at York, 178; sends for Essex and Holland, 179; fails to secure support, *ib.*; a party of gentlemen leave London to join, 184; forbids the appointment of Warwick as commander of the fleet, and assures the Yorkshire petitioners that he only wants Parliament to be reasonable, 185; proposes to go with troops to Ireland, 186; calls upon Parliament to obey the law, and

CHA

quotes Pym, 189; is requested by Parliament not to go to Ireland, 190; resolves to demand entry into Hull, 191; is refused admission into Hull, 192; proclaims Sir J. Hotham a traitor, 193; prohibits the levy of the trained bands in Yorkshire without orders from himself, *ib.*; sends to Scotland for aid, 194; appeals to the gentry of Yorkshire, 195; orders the removal of the Law Courts, and surrounds himself with a guard, 196; summons a meeting on Heyworth Moor, 199; issues commissions of array, 202; appeals to the Scottish Council, and abandons his plan of a visit to Ireland, 203; declares that he takes arms in defence only, and sends Hastings into Leicestershire, 205; obtains possession of Newcastle, 206; offers made to levy horse for, *ib.*; receives money from Worcester and his son, 207; dismisses Northumberland, and places Pennington in command of the fleet, 208; the Houses consider themselves at war with, 209; the Commons declare that war has been begun by, 211; goes to Beverley in the hope that Hotham will betray Hull, 212; goes to Lincoln, *ib.*; answers sternly a petition for accommodation, 213; is driven back from Hull, and arrives at Leicester, 214; movements in favour of, 216; summons Coventry, 218; sets up the Royal Standard at Nottingham, 219

Charles Emmanuel I., Duke of Savoy, proposes a marriage between his son and the Princess Elizabeth, *ii.* 23; renews the proposal with one for a marriage between his daughter and the Prince of Wales, 137, 153; is helped by James in his war with Spain, 321; sends Scarnaffissi to ask James for further assistance against Spain, *iii.* 49; makes peace with Spain, 52; offers Mansfeld's regiment to the Princes of the Union, 277; professes his desire to attack the House of Austria, 291; draws back, 294; Wake's mission to, *v.* 174; joins the League for the recovery of the Valtelline, and engages to attack Genoa, 265; asks James for ships and money to employ against Genoa, 301; mission of Walter Montague to, *vi.* 168; wants an English army to support him, 176; refuses to help Charles till St. Martin's is taken, 185; wishes to obtain part of the Duchy of Montferrat, 332; is compelled to separate himself from Spain, *vii.* 99

Charles Lewis, Elector Palatine 1632, support given by Charles to, *vii.* 215; proposal of Charles to send him at the head of an army first to the Palatinate, and then to join the Duke of Feria, 349; is forbidden to go to the Palatinate, 351; position assigned by the Peace of Prague to, 388; is directed by Charles to make a formal submission to the Emperor, *viii.* 83; visits England, 99; refusal of the French ambassador to give the title of Electoral Highness to, *ib.*; Nicolalde gives the title to, 100; pro-

CHA

posal for the marriage of, with the Emperor's daughter, 101; receives a degree at Cambridge, and confers degrees at Oxford, 151; is allowed a pension by the King, 164; proposed loan of ships to, 204; preparations made for sending to sea, 210; returns to Holland, 219; buys the garrison of Meppen, but loses the place to the Imperialists, 376; proposal to send a Scottish army to the aid of, *ix.* 42; negotiates with Bernhard of Weimar, 57; sets out for Alsace, hoping to obtain the command of Bernhard's troops, 64; passes Paris in disguise, 69; is captured and imprisoned, 70; absents himself from the marriage of the Princess Mary, 348, manifesto in favour of, 405; accompanies the King to Scotland, *x.* 3; accompanies the King in the attempt on the five members, 137

Charles, Prince (Duke of York, 1605), proposal to marry the Princess Christina to, *ii.* 223, 314, 390, 396; is created Prince of Wales, *iii.* 35. See Charles, Prince of Wales, Charles I.

Charles (Prince of Wales, 1616), quarrels with Buckingham, and is reconciled to him, *iii.* 187; visits his mother before her death, 294; wishes his sister to be supported in Bohemia, 326; Gondomar's opinion of the character of, 347; is informed of the scheme of Gondomar and Buckingham for the partition of the Netherlands, 360; pays 5,000*l.* to the Benevolence, 373; is distressed by the news of the Battle of Prague, 386; brings Bacon's petition before the Lords, *iv.* 93; speaks in Bacon's favour, 102; wishes the King to punish Yelverton, 113; character of, 305; influence of Buckingham over, 368; is not anxious to marry the Infanta, *ib.*; admits a Roman Catholic amongst the commissioners of his revenue, and promises to visit Madrid, 369; talks of taking the command of an army to recover the Palatinate, 372; opposes his father's wish to be content with Spanish promises, 373; signs the marriage articles as amended in Spain, 398; forms a plan for a journey to Spain, *v.* 1; obtains his father's consent to the journey, 3; sets out from Newhall, 6; arrives in Paris and sees Henrietta Maria, 7; arrives in Spain, 9; reaches Madrid, 10; is supposed to intend to change his religion, 11; his first interview with Philip IV., 14; attempts made to convert, 16; is angry with Bristol for supposing that he intends to change his religion, 17; is lodged in the palace, and applauded by the people of Madrid, 18; admires the Infanta, 19; receives Pastrana, 24; is allowed to pay his respects to the Infanta, 29; is informed by Olivares that a dispensation will be granted for his marriage, 33; dines in

CHA

state on St George's Day, and takes part in a religious conference, 34; is not allowed the exercise of his religion in the Royal Palace, 37; additional articles demanded by the Pope from, 38; objects to the additional articles, 39; makes fresh offers, 42; is obliged to dismiss his attendants, 43; is told that Purgatory is in Spain, 44; proposes to leave Spain, but abandons the idea, 46; is angry at the announcement that the Infanta is to remain in Spain after her marriage, but offers further concessions, 48; replies to the Pope's letter, 49; is informed of the decision of the Junta of Theologians, and prepares to leave Madrid, 51; leaps over a wall to speak to the Infanta, 52; continues to hope that the Infanta will be allowed to accompany him, and decides to remain in Spain, 53; asks his father to send him full powers, 55; makes another attempt to induce the Spaniards to change their decision, 59; is said to watch the Infanta as a cat watches a mouse, 60; informs Olivares that his father had ordered him to return to England, 61; finding that he will not be allowed to bring the Infanta with him, declares his intention of leaving Spain, 62; assures Philip of his readiness to accept the marriage articles, 63; hopes that the demand for a Parliamentary confirmation of the articles will be withdrawn, 64; has fresh articles presented to him by Olivares, 89; accepts them, 90; signs the marriage contract, 92; is surprised at his father's conscientious scruples, 116; hopes to bring the Infanta with him, 93; day fixed for the departure of, 96; is informed by the Countess of Olivares that he may take the Infanta with him, 97; offers to remain in Spain after his marriage, but again urges the Spanish Government to allow the Infanta to accompany him, 101; cannot make up his mind to go or stay, 102; resolves to go, 103; converses with Olivares on the marriage of the Electoral Prince with the Emperor's daughter, 105; is angry at the announcement that Spain will not agree to a restitution of the Electorate to Frederick, 108; writes down from memory a letter shown to him by Olivares, 112; agrees to leave a proxy in Bristol's hands, 113; takes an oath to observe the marriage contract, and leaves Madrid, 114; spends two days at the Escorial, 115; sets out for the coast, 116; in spite of his change of feelings towards the Infanta, assures Philip of his constancy, 117; orders Bristol not to deliver his proxy till he has security that the Infanta will not go into a nunnery, 118; embarks at Santander, 119; lands at Portsmouth and is received with enthusiasm in London, 128; tells his father that he wishes to

CHA

conquer Spain, 130; writes to Bristol that he does not intend to break off the marriage because he wishes to have assurance about the Palatinate before it takes place, 136; writes to Aston that he will not marry the Infanta unless the Palatinate is restored, 137; urges James to make the restitution of the Palatinate an indispensable condition of his marriage with the Infanta, 141; calls together the Committee of the Council on Spanish affairs, 143; orders Bristol not to deliver his proxy till he hears further, 146; assures Bristol that unless Philip promises to take arms if necessary there can be no marriage, 147; urges his father to summon Parliament, 157; position in the nation of, 169; confidence felt in Buckingham by, 172; is asked whether, in swearing to the marriage treaty, he had agreed that the restitution of the Palatinate was to precede the marriage, 177; assures the Commissioners on Spanish affairs that he cannot marry the Infanta, 178; is eager for war, 180; continues to talk of conquering Spain, 184; loves patience with his father's hesitation, 195; states that James does not want money for himself till after the kingdom has been provided for, 196; is displeased with James's refusal to declare war immediately against Spain, 197; assures the Houses that his father is convinced of the justice of a war with Spain, 198; mentions that a French marriage has been proposed, and declares that if his father's sword is drawn it will hardly be put up again, 199; rejects a present from the Countess of Olivares, 204; hears from Williams of Carondelet's secret intercourse with the King, 210; wishes a league with France to precede a marriage treaty, 217; swears that the English Catholics shall have no benefit by the French marriage treaty, 222; shows hospitality to Mansfeld, 225; takes offence at Middlesex, 229; is warned by his father of the consequences of the impeachment of Middlesex, 231; refuses to insert an article in favour of the Catholics in the French marriage treaty, 231; persists in his refusal, 257; is gained over by Buckingham, 261; expresses satisfaction at the acceptance of the French terms, 262; urges his father to give way, 269; signs an engagement in favour of the Catholics, 277; is angry with Mansfeld for resolving to go to Flushing, 286; assents to the scheme of a General Protestant League, 294; is forbidden to appear personally at his marriage in France, 306; accession to the throne of, 317. *See* Charles, Duke of York; Charles I. Charles, Prince (*son of Charles I.*), birth of, vii. 140; dissatisfaction of the Puritans at the birth of, 141; is entrusted to the care of Lady Dorset, 142; is taken to

CHA

- mass by his mother, viii 137. is no longer allowed to be taken to mass, 140
See Charles, Prince of Wales
- Charles, Prince of Wales, 1637 (son of Charles I.); Newcastle appointed governor of, viii. 213; Hertford, who has been appointed governor of, is directed to keep a strict watch over, x. 42; the House order Hertford to retain the custody of, 156; joins his father at Greenwich, 168; his mother proposes to marry him to a daughter of the Prince of Orange, 177; is sent to visit Hull, 192. *See* Charles, Prince
- Charles, the Infant, a new kingdom proposed for, iv 328; opposes his sister's marriage to the Prince of Wales, v 27
- Charnacé, Baion, offers French help to the Dutch, vii 214, refuses to give to Charles Lewis the title of Electoral Highness, viii 99
- Charter House, the, endowed by Sutton, ii. 214
- Chateaufort, Marquis of, is directed to invite Charles to co-operate with France against Spain, and advises Charles to call a Parliament, vii. 104, attempts to persuade the Queen to use her influence against Weston, 106, joins Richelieu's opponents, and intrigues with De Jars against Weston, 186; is imprisoned, 217
- Chauncey, Charles, resigns the vicarage of Ware, viii. 116
- Chaworth, Lord (George Chaworth), carries a message from Mary de Medecis to the Queen, vii. 185; is imprisoned, 186
- Cheshire, the forced loan readily paid in, vi. 154
- Cheshire Remonstrance, the, attack on Presbyterianism in, iv. 392
- Chetham, Humphrey, assesses ship-money in Lancashire, viii. 92
- Chevreuse, Duchess of, is exiled from France, vi. 167, is expected by Buckingham to stir up enemies against France, 168; entices Chateaufort to oppose Richelieu, 186; Henrietta Maria wishes to intercede for, viii. 98, arrives in England, 398; advises the Queen to visit the King at Berwick, ix. 40; proposes Spanish marriages for the children of Charles I., 89
- Chevreuse, Duke of, holds Charles's proxy at his marriage, v. 325; remonstrates with Charles on his treatment of the Catholics, 377, makes up his quarrel with Richelieu, vi. 185
- Chibborne, Serjeant, his argument in the case of commendams, iii. 14
- Chichester of Belfast, Lord, 1612-1625. (Arthur Chichester), opens the Irish Parliament, ii. 280, is instructed to carry out the laws against recusants, 297; his relations with the Irish Parliament, 300; recall of, 302; is sent to the Palatinate, iv. 104; arrives in the Palatinate, 315; attempts to negotiate an armistice, 316,

CII

- gives his opinion of the state of Frederick's army, 317, begs Frederick to leave Mansfield's army, 318; asks Tilly to abandon the siege of Heidelberg, 320; remains at Frankfurt, 362, is obliged to leave Frankenthal, 363, sends Netherlands to England, *ib.*, is recalled, 383, becomes a Privy Councillor, 409, Buckingham's anger at his vote against war with Spain, v 177, thinks that the Electoral Prince may be educated in England, 178; is a member of the Council of War, 223; death of, 312, papers said to have been left by, 430; his plan for the settlement of Wexford, viii. 3. *See* Chichester, Sir Arthur
- Chichester, Sir Arthur (*Lord Deputy of Ireland*, 1604-1615), character of, i. 373; is anxious to civilise Ireland, 374; issues a proclamation for the cessation of martial law, and for a general disarmament, and another for an amnesty and for the protection of tenants, 383; his visitation of Ulster, 386, attempts to compel Catholics to attend the Protestant service, 388; removes Sir J. Everard from the Bench, 391; summons the aldermen of Dublin before the Castle Chamber, 392; imprisons petitioners against his proceedings, 394, attempts to fine recusants, 395; gives an opinion on persecution, 396, abandons his effort to repress recusancy, 398; attempts to reform the Church of Ireland, 401; visits Ulster a second time, 402; results of the first two years of his government, 407; hears the case between Tyrone and O'Cahan, 411, is insulted by Tyrone, 412; is informed of a conspiracy, *ib.*, prepares to set out for Ulster, 414; sees Tyrone for the last time, 415; sends garrisons into Ulster on hearing of the flight of the earls, 417, lays down a plan for the settlement of Ulster, 418, distrusts Sir G. Paulet, 420; listens to O'Dogherty's account of his quarrel with Paulet, 422; suppresses O'Dogherty's rebellion, 428, declares he will only pardon such rebels as have put to death some of their comrades, 430; draws up notes on the condition of Ulster, 432; expresses his opinion on the plantation of Ulster, 436-438; carries out the plan of the Commissioners in London, 439, is raised to the peerage, 288. *See* Chichester of Belfast, Lord
- Chillingworth, William, reports Gill's rivalry to Laud, vi. 355, early life of, viii. 259; compared with Laud, 260; his intercourse with Falkland, *ib.*; publishes *The Religion of Protestants*, 262; character of the doctrine of, *ib.*; is charged with saying that the King's opponents in the Commons are guilty of treason, x. 87
- Chisholm, William (*Bishop of Tarron*), his appointment as Cardinal supported by James, i. 80
- Choicelee Wood, Leslie's camp at, ix. 180

CHR

- Christian IV. (*King of Denmark*), visits James, i. 300; mission of Anstruther to, iii. 334, lends money to James for the defence of the Palatinate, 386; takes part in the Assembly of Stralsberg, iv. 179; speaks angrily to Frederick, 180; lends money again to James, *ib.*; pleads for Frederick, 315; mission of Anstruther to, v. 174; refuses to take arms unless he can secure help in North Germany, 291; his connection with the ecclesiastical territories, *ib.*; proposal of James to place Gustavus in command over, 298; his plan of military operations receives the approval of James, 299; engagement of Charles to furnish 30,000*l.* a month to, 323; offers of Louis XIII. to, vi. 27; is guaranteed payment of 30,000*l.* a year by the Treaty of the Hague, 36; Richelieu offers to support, 52; apparently strong position of, 138; is defeated at Lutter, 139, proposal of Charles to include in a suspension of arms, 161; his position after the defeat of Lutter, 164; is joined by Morgan's regiments, but complains of Charles's hard dealings, 165; is overpowered, and abandons the mainland, 186; defends Krempe and Glückstadt, 290; proposal to send English aid to, 332; sends Rosencrantz to beg Charles to send him men and money, 366; is informed that Charles's aid is postponed, but not refused, 372; Roe proposes that aid be sent to, vii. 68; makes peace with the Emperor at Lubeck, 201; Henrietta Maria writes to, for aid, x. 188
- Christian (*Prince of Anhalt*), directs the policy of the Union, ii. 92; commands the forces employed in the territory of Cleves, 98; hopes to dismember the Austrian dominions, 277; expects to overthrow the House of Austria, 291; his mission to Turin, 292
- Christian of Brunswick (*Administrator of Halberstadt*), proposes to join Mansfeld, iv. 294; character of, 302; ravages the Ecclesiastical States, 303; approaches the Main, 316; is defeated at Hochst, and joins Mansfeld, 318; accompanies Mansfeld in his retreat to Alsace, 319; does not send a representative to the conference at Brussels, 322; accompanies Mansfeld to Lorraine, 338; fails in an attempt to march to the Lower Rhine, 341; is wounded at Fleurus, 342; plans an attack on Silesia, v. 77; is defeated at Stadtloo, 78; commands the French cavalry intended to serve under Mansfeld, 286; his force thinned by death and desertion, 290; resigns his Administration, 293
- Christina, the Princess (*Sister of Louis XIII.*), proposal to marry her to Prince Henry, ii. 154; proposal to marry her to Prince Charles, 223, 314, 390, 396
- Chudleigh, Captain James, brings up a letter from the officers of the Northern army, complaining of their grievances, ix.

CLE

- 314; confers with Jermyn and Suckling, 315; holds a meeting of officers at Boroughbridge, and carries their letter to Goring, 324; is examined on the Army Plot, x. 2
- Church of England. *See* England, Church of
- Churchill, John, forges orders in Chancery, iv. 56, his connection with Lady Wharton's case, 74; draws up a list of charges against Bacon, 82
- Chute, Sir Walter, is imprisoned, ii. 249
- Clanricarde (1601-1635) and St. Albans, Earl of (1628-1635), (Richard de Bugh), is President of Connaught, i. 379, his position in Galway, viii. 62, pleads against Wentworth, 183; death of, 185
- Clanricarde and St. Albans, Earl of, 1635 (Ulric de Bugh), keeps order in Connaught, x. 116
- Clare, 1st Earl of, 1624-1637 (John Holles), refuses to pay the forced loan, vi. 150; proposes a joint committee of both Houses on the Petition of Right, 287; borrows Dudley's paper of advice, vii. 139; is prosecuted in the Star Chamber, 140. *See* Holles, Sir John; Houghton, Lord
- Clare, 2nd Earl of (John Holles), protests against the refusal of the Lords to communicate to the Commons their resolution on Divine service, x. 16
- Clarendon, Earl of (Edward Hyde), his opinion of Charles's letter to Pope Gregory XV., v. 50
- Clarke, Edward, conveys a letter from Charles to Bristol, v. 118; gives Bristol the letter, 120; is imprisoned by the Commons for speaking of the speeches against the Duke as bitter invectives, 415; spreads the news that all difficulties in the way of a French alliance are at an end, vi. 68; is sent to make overtures to Spain, 160; is sent on a mission to the King of Denmark, 185
- Clarke, Robert (*Baron of the Exchequer*, 1587-1607), delivers judgment in the case of impositions, ii. 6
- Clarke, William, takes part in Watson's plot, i. 109; is convicted, 138, is executed, 139
- Clayton, Mr., imprisoned for preaching against Spain, iv. 346
- Clement VIII., Pope, 1592-1605, receives a letter from James, i. 81; employs Sir James Lindsay to carry a message to James, 97; sends breves to Garnet, 98; opens a negotiation with James, 140; sends presents to the Queen, 142; refuses to excommunicate turbulent Catholics, 143; expects the conversion of James from his message sent by Lindsay, 225; death of, ii. 16
- Clergy, the, social position of, vii. 267; relations of the country gentlemen to, viii. 122
- Clerkenwell, arrest of Jesuits at, vi. 238. complaints of the favourable treatment of the Jesuits seized at, vii. 57

CLE

- Cleves and Juliers, Duchy of, disputed succession in, ii. 93; resolution of James to intervene in, 99; capture of Juliers in, 100; renewal of the dispute in, 202; attempt to settle the dispute in, 307
- Clifton, Richard, sermons preached at Babworth by, iv. 147; is deprived of his rectory, 148; becomes pastor of the Scrooby congregation, 149; refuses to leave Amsterdam, 151
- Clontarf, Coote sent to punish wreckers at, x. 114; is burnt by Coote, 115
- Cloth, manufacture of, attempt to prevent Dutch rivalry with, ii. 385
- Clotworthy, Sir John, recounts the grievances of Ireland, ix. 231; repeats a story which he had heard from Sir Robert King, 234; tells the House that Suckling was to raise three regiments of foot and a troop of horse, 351; is a member of the committee for investigating the Army Plot, 358
- Coal-shippers, monopoly granted to the corporation of, viii. 283
- Coat-and-conduct money, attack on in the Short Parliament, ix. 112; enforcement of the payment of, 130; unpopularity of, 140; refusal of the City to pay, 154; prosecution of the Lord Mayor and sheriffs for neglect in the collection of, 169
- Cobham, Lord, 1597-1604, d. 1619 (Henry Brooke), suspicions of his connection with Watson's plot, i. 116; his intrigues with Arenberg, 119; writes to the commissioners for the examination of Raleigh, 134; writes a letter to Raleigh, 135; is convicted of treason, 138; is reprieved and sent to the Tower, 139; death of, iii. 154
- Cockaine, Alderman William, attempts to exclude the Dutch from the cloth manufacture, ii. 386
- Coinage, debasement of the Irish, i. 365; proposal to debase the English, rejected by Charles, vi. 138; project to debase, in order to provide means for war with Scotland, ix. 171; plans for carrying out the debasement of, 174
- Coke, Clement, assists his father in an attack on Oatlands, ii. 92; declares it to be better to die by an enemy than to suffer at home, vi. 76; explains his words, 79; declares Weston to be an enemy of the commonwealth, vii. 73
- Coke, Frances, Sir John Villiers offers marriage to, iii. 87; signs a contract of marriage with the Earl of Oxford, and is sent to Oatlands, 90; is carried off by her father, 92; marriage of, 98. *See* Purbeck, Lady
- Coke, Sir Edward (*Attorney-General* 1594, *Chief Justice of the Common Pleas* 1606, *Chief Justice of the King's Bench* 1613-1616, d. 1633), his conduct at Raleigh's trial, i. 123; opposes the Bill for free trade, 190; appears against the Gunpowder Plotters, 258; finds a treatise

COK

on Equivocation in Tresham's chambers, 267; his speech at Garnet's trial, 277; prosecutes Northumberland, 283; becomes Justice of the Common Pleas, 299; is in favour of the naturalisation of the Post-nati, 334; his conduct on the Bench, ii. 35; leads the attack on Bancroft's *Articuli Cleri*, 36; has an altercation with the King, 38; his opinion on Fuller's case, 40; provokes James, 41; is said to have instigated the attack on Cowell's *Interpreter*, 66; declares that the King cannot create an offence by proclamation, 104; disputes with Abbot on the question of prohibitions, 122; objects to the procedure in the case of Legate and Wightman, 129; Bacon advises the appointment as Chief Justice of the King's Bench of, 207; becomes Chief Justice of the King's Bench and a Privy Councillor, 208; persuades the judges not to give an opinion to the Lords on the question of impositions, 241; objects to the demand for a Benevolence being issued under the Great Seal, 261; argues in favour of the legality of the Benevolence, 266; resists the separate consultation of the judges, 277; gives his opinion in Peacham's case, 278; argues against the deputation from the Irish Catholics, 297; his opinion on Owen's case, 304; is directed to inquire into the murder of Overbury, 332; asks that persons of higher rank may be associated with him, 334; presides at Weston's trial, 338; states his belief that Prince Henry had been poisoned, 345; is eager to discover the negotiation between Somerset and Sarmiento, 346; his opinion on the preparation for a Parliament, 365; view taken of the constitutional position of the judges by, iii. 1; brings the Bench into collision with the Crown, 5; is forbidden by James to give judgment on the writ *de rege inconsulto* till he has spoken to him, 9; complains of the interference of Chancery, 10; instigates the prefeimont of indictments of *perjurium*, 11; is angry with the grand jury which returns an *ignoramus*, 12; is ordered not to proceed with the case of commendams till he has spoken with the King, 14; writes a letter in the names of the judges refusing to obey the command, 15; protests against the command, 17; asserts his independence, 19; is suspended, 23; is called on to revise his reports, and dismissed, 25; his behaviour after his disgrace, 84; quarrels with his wife, *ib.*; consents to the marriage of his daughter to Sir John Villiers, 88; informs the King of his consent, 89; carries off his daughter from Oatlands, 92; is summoned before the Council, *ib.*; is favourably received by the King, 95; is restored to the Council table, 98; is disappointed at not receiving higher promotion, 99; is appointed a commis-

COK

sioner to examine Raleigh, 141; becomes a Commissioner of the Treasury, 180; wishes to impose a large fine on Suffolk, 210; acknowledges the legality of the patent for inns, 144; political principles of, 40; effect on the Commons of his attack upon the monopolies, 41; asks the Commons to punish Michell, 42; brings in a report against Montpeyson, 43; acknowledges that the House has no jurisdiction, 44; brings in a Bill against monopolies, 54; objects to the King's proposed tribunal for the trial of Bacon, 69; complains of Bacon as a corrupt judge, 78; declares that the House of Commons is a court of record, 122; supports the jurisdiction of the Commons over Floyd, 123; repeats the prayer for the Royal family, 130; is irritated by the affair of Lepton and Goldsmith, 240; makes a violent attack on Spain, 241; proposes that the Commons shall set down their privileges in writing, 260; is sent to the Tower, 267; is liberated, 350; proposal to send him to Ireland, v. 182, declares that Buckingham has deserved well of his country, 188; declares that England was never so prosperous as when she was at war with Spain, 194; explains to the Commons the value of the subsidies proposed, 200; carries up the impeachment of Middlesex, 230; is content that there shall be no committee of grievances in the first Parliament of Charles, 342; argues that Montague's writings can be properly considered by the Commons, 302; asks for an account of the subsidies of the last Parliament, 397; wishes that nothing may be printed without the approval of Convocation, 399; declares that the Commons ought not to discuss doctrine, 400; comments on the embarrassments of the Treasury, 411; suggests a Benevolence, 427; is made sheriff to prevent his appearance in Parliament, vi. 33, is of opinion that the rights of the subject must be vindicated, 231; brings in a Bill against prolonged detention in prison, 232; wishes subsidies to be granted with a declaration of the illegality of the forced loan, 237; states that when the King is spoken of as imprisoning anyone, it is meant that his command is signified by the judges, 240; quotes the language of Festus to Agrippa, 241; is temporarily disconcerted by Shilton's quotation from Anderson's reports, 243; declares the quotation from Anderson to be apocryphal, 244; adduces the evidence of a copy in Anderson's own hand, 245; proposes a petition against military outrages, 253; asks that the dates for the payment of the subsidies may be fixed, 255; criticises the Lords' propositions on imprisonment, 261; supports the Bill of Liberties 265; wishes the King

COK

to ratify the Bill to be presented to him in the form of a promise, 261, replies to Sir J. Coke's proposal that the King shall be petitioned, 273; proposes a Petition of Right, 274; asserts that the phrase 'sovereign power' is not known to the law, 281, cannot speak for weeping, 304; names Buckingham as the cause of all their miseries, 305; death of, vii. 359; seizure of the papers of, 360

Coke, Sir John, is a leading member of the Navy Commission, iii. 203; orders Pennington to abstain from meddling in the French civil wars, v. 329, is selected by Buckingham to be his mouthpiece in the House of Commons, 370; lays an estimate before the House, and asks for an additional grant, 371; fails to persuade the House, 372; writes to Pennington that he will not have to fight against the French Protestants, 378; orders Pennington not to give up his ship to the French, 379; approves of the protest of Pennington's captains, 382; recommends that Pennington shall spin out time, 383; gives a full explanation of the King's military and naval expenditure, 405; protests against Eliot's attack on the Commissioners of the Navy, 414; becomes Secretary of State, vi. 9; urges on the sale of French prize goods, 42; suggests an early grant of supply, 60; again urges the Commons to take supply into consideration, 80; Buckingham is angry with, 201, acknowledges that the law had been broken, 237, alleges the discovery of a party of Jesuits at Clerkenwell as a reason why the Commons should vote supply, 239; persuades the House to allow supply to be discussed in a Grand Committee, 16; argues in favour of attacking the enemy, 246; announces to Charles that five subsidies have been voted in committee, and reports Buckingham's sayings to the Commons, 252; supports Sir E. Coke's proposal for fixing the dates of the payment of the subsidies, 255; informs the Commons that it has been noticed that they are pressing on power itself, 255; informs the House that, whatever law is made, it will be his duty as a Privy Councillor to commit without showing cause, 267, denies that the laws had been violated, 269; asks that the King's answer to the Remonstrance may be debated in the House, 272; objects to Pym's language, 273; asks the Commons to petition against a repetition of the forced loan, 16; goes to Portsmouth to hurry on reinforcements for Denbigh, 293; informs Buckingham of the slowness with which the fleet for the relief of Rochelle is being fitted out, 344; proposes to bring in a Bill for granting tonnage and poundage, vii. 34; protests against the

COK

- Commons considering the report of the committee on religion, 37; declares the King's resolution to protect the Custom House officers, 64; writes to forbid Charles Lewis to go to the Palatinate, 351; reads to the Council an exposition of the dangers of the kingdom, and calls on Charles to recover the sovereignty of the seas, 357; becomes a Commissioner of the Treasury, 379; urges on Lindsey the necessity of supporting the King's claim to the sovereignty of the seas, 385; his speech at the introduction into Oxford of the Caroline statutes, viii. 147; votes against war with Scotland, 350; is threatened with dismissal, ix. 85; ceases to be Secretary, 87; exposes the Queen's misrepresentation about the marriage treaty, 88
- Colchester, Official's court of the arch-deaconry of, ix. 80
- Coldstream, the Scottish army crosses the Tweed at, ix. 189
- College of Physicians, the, reports on the causes of the plague, viii. 289
- Coloma, Don Carlos, succeeds Gondomar as Spanish ambassador in England, iv. 335; asks that Spanish ships may be sheltered in English ports, 376; is present when James swears to the public articles of the marriage treaty, v. 68; assents to the agreement of Salisbury, 99; presents a plan for the pacification of Germany, 131; accepts James's declaration that he can grant no further concessions to the Catholics, 100; slips a paper into James's hand, 207; protests against the levy of soldiers in aid of the Dutch, 244; begs that three Dunkirk privateers in the Downs may receive the benefit of neutrality, 245; obtains permission for Rubens to visit England, vii. 102; is named ambassador to England, 105; is received at Whitehall, 170; swears to the treaty of Madrid, 176; takes leave of Charles, 177; Mas-singer's allusion to, 201
- Colvill, William, is entrusted with letters from the Covenanters to foreign princes, ix. 91; is sent to France with a second letter, 92
- Commendams, case of, iii. 13
- Commerce, movement in favour of breaking up the companies engaged in, i. 188; Act for throwing open, with France, Spain, and Portugal, 348; interference with the course of, between England and Holland, ii. 385; stoppage of, after the dissolution of 1629, vii. 82
- Commissions of array, issued for the army against Scotland, ix. 162; issued for an army against the Parliamentary Militia, x. 202; order given to put in execution, 205
- Commissioners of the Navy. *See* Navy Commission
- Commissioners, the Parliamentary. *See* Parliamentary Committee, the

COM

- Committee of defence, the, is ordered to direct the attention of the Lords to the state of the fortresses, and to consider the command of the trained bands, x. 2; recommends the appointment of an authority to put the kingdom in a state of defence, 3
- Committee of Eight. *See* Committee of the Privy Council for Scottish affairs
- Committee of Estates, the, appointed by the Scottish Parliament, ix. 152, decides that half its members shall accompany Leslie's army, 182; examines Montrose, 396; imprisons Montrose and his confederates, 397
- Committee of Safety, the, is composed of Lords and Commoners, x. 203
- Committee of the Privy Council for foreign affairs, appointment of, v. 323; proposed admission of Scots to, ix. 91
- Committee of the Privy Council for Scottish affairs, divided state of opinion in, vii. 350; recommends Charles to select a force of 30,000 from the trained bands, 383; is consulted on the war with Scotland after the dissolution of the Short Parliament, ix. 120
- Committee of the Privy Council for Spanish affairs is consulted on the marriage treaty, iii. 58; listens to Buckingham's account of his proceedings in Spain, v. 143; questions about the treaties proposed to, 176; refuses to vote for war, 177; gives a temporising answer, 179; recommends the imprisonment of Loudoun and Dunfermline, ix. 74; after hearing Traquair's report, discusses the mode of coercing Scotland, 75; debate on the mode of carrying on war with Scotland in, 120
- Common Council, the. *See* London, City of
- Common Prayer, the Book of, supporters and assailants of, ix. 274; proposal to make alterations in, and counter-proposal of Culpepper to punish those who vilify, x. 14
- Commons, the House of, its increased powers under Henry VIII., i. 6; asks for further changes in the Church, 31; opposes Elizabeth on the subject of Church reform, 32; composition of, 160; official members elected to, 163; debates on Sherley's case of privilege in, 167; on Goodwin's case, *ib.*; on purveyance and wardship, 171; on the Court of Wards, 174; on the union with Scotland, 176; objects to the title of King of Great Britain, 177; is dissatisfied with the Hampton Court settlement, 178; its ecclesiastical policy, 179; apology of, 180; omits to grant subsidies, 186; opposes the monopoly of the trading companies, 188; passes a Bill for opening trade, 189; is scolded by the King at the prorogation, 190; causes of the misunderstanding between the King and, 191; rejects a proposal for

COM

inflicting extraordinary punishment on the Gunpowder Plotters, 236; questions the right of Convocation to legislate, 291; grants a supply, 297, 298; draws up a petition of grievances, 299; discusses the proposed commercial union with Scotland, 329; considers the question of naturalisation, 331; agrees to pass Bills for the abolition of hostile laws and extradition of criminals, 337; insists on freedom for all persons to trade with France, Spain, and Portugal, 348; case of the 'Trial' brought before, 349; forwards to the Lords the complaints of the merchants trading with Spain, 351; Salisbury seeks to influence elections to, ii. 63; takes into consideration the support of the Crown, 64; listens to Salisbury's demands, 65; condemns Cowell's *Interpreter*, 66; demands the commutation of feudal tenures, 68; proposes to enter into the Great Contract, 69; is forbidden by the King to question his right to impositions, 70; receives permission to discuss the impositions, 72; petition against recusants from, 73; debate on impositions in, 75; is almost unanimous against the King's claim to impositions, 81; draws up a petition of grievances, and grants a subsidy, 82, agrees to the Great Contract, 83; is dissatisfied with the King's answer to its grievances, 85; breaks off the Great Contract, 107; refuses to grant supply till the rumours about Undertakers have been inquired into, 236; receives the communion at St. Margaret's, and takes up the Bill on Impositions, 237; inquires into monopolies, *ib.*; gives up the inquiry about the Undertakers, and discusses the impositions, 238; asks for a conference on impositions, 241; is indignant at Bishop Neile's attack, 243; is not contented with Neile's excuse, 246; review of the conduct of, in the Added Parliament, 248; imprisonment of members of, 249; does not revive the quarrel about impositions in 1621, iv. 27; Protestant feeling of, 28; objects to receive the communion in Westminster Abbey, 30; receives the report of the Council of War, 31; grants two subsidies, 32; complains of Gondomar's permission to export ordnance, 33; expels Shepherd, 34; is displeased with James's refusal to persecute the Catholics, 34; foreign policy of, 35; inquiry into the monopolies, 39; violent proceedings against Michell in, 42; attack on Mompesson in, 43; its jurisdiction questioned, *ib.*; demands inquiry into the conduct of the referees, 48; brings charges against the referees, 50; sends charges against Mompesson to the Lords, 54; orders Phelps to lay before the Peers the evidence against Bacon, 66; rejects James's proposal for a new tribunal to

COM

inquire into Bacon's case, 71; send up the Wharton case to the Lords, 78; is summoned to the Lords' bar to hear the sentence on Bacon, 103; hears the Lords' sentence on Michell, 108; charges Sir J. Bennett with corruption, *ib.*; refuses to grant a further supply, and condemns the patent for alehouses, 110; abandons the charges against the referees, 111; violent language directed against Floyd in, 120; sentences Floyd, 121; its jurisdiction over Floyd questioned by the King, *ib.*; refers Floyd's case to the King, 123; votes certain patents to be grievances, and passes a Monopoly Bill, 125; is ordered to adjourn, 126; dissatisfaction in, 127; Perrot's motion for a declaration about the Palatinate in, 128; makes a declaration for the defence of the Palatinate, 129; adjournment of, 130; reassembles, 232; its attention called to the imprisonment of Sandys, 233; considers a demand for money for the defence of the Palatinate, 234; resolves to vote supply, 241; draws up a petition on religion, 246; is ordered by the King not to meddle with his son's marriage, 250; prepares an explanatory petition, 251; sends a deputation to the King, 252; James's attack on the privileges of, 254; debate on the King's answer in, 255; precedents on liberty of speech in, 256; is unanimous in defence of its privileges, 257; protestation on behalf of the privileges of, 261; last sitting of, in the session of 1621, 264; character of the elections to, in 1621, v. 181; refers Eliot's motion on liberty of speech to a committee, 188; exculpates Buckingham, *ib.*; debate on the Spanish treaties in, 189; popularity of a war with Spain, and unpopularity of a war in Germany in, 191; draws up a petition for war with Spain, 192; discusses the King's speech on a war in Germany, 194; votes an address calling for war with Spain, 196; is dissatisfied with James's answer, 197; disapproves of a French marriage and of a Continental war, 199; votes three subsidies and three fifteenths, 200; conditional nature of the grant made by, 202; refuses to inquire into the insults offered to the Spanish Embassy, 203; sends to the Lords a petition against recusants, 222; is satisfied with James's answer to the petition against recusants, 226; impeaches Middlesex, 230; agrees to a modification of the Monopoly Bill, 233; presents its grievances to James, 234; is dissatisfied at the close of the session of 1624, 235; growth of the influence of, *ib.*; full attendance in, at the opening of the session of 1625, 337; is asked for supplies by Charles, on the ground that it has brought him into war, 338; rejects Mallory's motion for an adjournment, 341; goes into committee on religion,

COM

342; prepares a petition on religion, requesting the enforcement of the law against the Catholics, and a conciliatory treatment of the silenced ministers, 344; the grant of one subsidy and one fifteenth proposed in, 345; two subsidies voted by, 347; its want of confidence in Charles, *ib.*; considers Wentworth's disputed election, 349; refers Montague's *New Gag for an old Goose* to Abbot, 353; inquires what steps Abbot has taken, 354; refers the *New Gag* and *Appello Casarem* to a committee, 355; report of its committee on Montague's books, 360; commits Montague to custody, 364; debate on tonnage and poundage in, *ib.*; passes a Bill granting tonnage and poundage for one year, 365; estimate of expenditure laid by Coke before, 371; declines to grant an additional supply, 372; is adjourned to Oxford, 373; re-assembles at Oxford, 397, prepares a petition against the grant of pardons to Catholic priests, 399; discusses Montague's case, *ib.*; question of ministerial responsibility raised in, 400; is summoned before the King in Christchurch Hall, 403; is puzzled by the confused way in which the King's demands are made, 406, the King's ministers inefficiently represented in, 407; Whistler's suggestion to consult the Lords on the proposed supply allowed to drop in, *ib.*; debate on foreign policy in, *ib.*; is summoned to Christchurch Hall to hear a communication from Buckingham, 418; discusses the King's demand of an immediate supply, 423; hears of the delivery of Pennington's ships to the French, 428; complaints of neglect to stop piracy, *ib.*; adopts a protestation of loyalty, 431; last proceedings of, in the first Parliament of Charles, 432; its want of confidence in Buckingham justified, 433; conservatism of, 434; pronounces against Montague, vi. 65; wishes to learn the advice given by the Council of War, 73; persists in requiring an answer, 74; difficulties of its position, 76; directs the King's Counsel to bring in a tonnage and poundage Bill, 77; loyal declaration of, 78; adopts Eliot's proposal to pass a resolution for the grant of subsidies, but not to convert it into a Bill, 81; informed by Coventry that they have liberty of counsel, not of control, 82; is told by Charles that Parliaments are to continue or not, according to their fruits, 83; resolves to draw up a remonstrance, *ib.*; determines to go on with the Remonstrance in spite of Buckingham's vindication of his conduct, 84; presents the Remonstrance to Charles, 85; orders a committee to consider the causes of evil, *ib.*; votes the charges against Buckingham upon common fame, 86; impeaches Buckingham, 98; demands the imprisonment of Buckingham, 108; refuses to proceed with business till Eliot and Digges

COM

are liberated, 109; prepares a petition in vindication of its privileges, 110, is informed that Digges is released, and that Eliot is imprisoned on account of actions done out of the House, 112; suspends its sittings, 113; is informed that Eliot is liberated, *ib.*; clears Eliot, 114; declares tonnage and poundage illegal without consent of Parliament, 115; demands an account of Buckingham's election as Chancellor of the University of Cambridge, but is ordered by the King to desist from further inquiry, 116; draws up a Remonstrance, 118; question of responsibility raised by its demand to the King to remove Buckingham from his presence, 119; end of the sittings of, 121; resolution of the leaders of, not to proceed against Buckingham in 1628, 230. Coke's Bill against prolonged detention in prison brought into, 232; debate on a proposal to grant supply in, 233; refuses to vote supply in consequence of the discovery of a party of Jesuits at Clerkenwell, 239, goes into a Grand Committee on Supply, 240; want of support for the King in, *ib.*; passes a resolution against taxation without a Parliamentary grant, 241; enters on a debate on the King's claim to imprison without showing cause, *ib.*; discussion on the genuineness of a copy of Anderson's reports in, 244; resolutions on imprisonment adopted by, 245; debate on the grant of supply in, 246; passes resolutions on confinement and billeting, 247; postpones the consideration of military grievances for that of civil ones, 250; passes in committee a resolution for five subsidies, *ib.*; Bill for securing the liberties of the subject proposed by Wentworth in, 251; debate on military outrages in, 253; sits, by the King's orders, on Good Friday, 254; debate on martial law in, *ib.*; asks the Peers to hear them before deciding on the resolutions on the liberties of the subject, 256; again refuses to discuss supply, 257; is informed by the Lord Keeper that Charles expects it to be content with his promise to observe the law, 263; resolves that a Bill founded on its resolutions shall be brought in, 264; debate in, on the Bill of Liberties, 265; is informed by Sir J. Coke that, whatever law might be made, it would be the duty of a Privy Counsellor to commit without showing cause, 267; directs the preparation of a Remonstrance, 269; orders the presentation of the Remonstrance, 270; end of Wentworth's leadership of, *ib.*; discusses the King's offer to confirm Magna Carta and six other statutes, 272; orders a Petition of Right to be prepared, and the resolutions for five subsidies to be reported, 275; sends up the Petition to the Lords, 276; refuses to accept the King's offer to declare the cause as soon as convenient, 277; rejects the Lords' clause in amend-

COM

ment of the Petition of Right, 281, rejects the clause a second time, 282, supports Eliot against Wentworth, 286; rejects a proposal of the Lords for a joint committee on the Petition of Right, 287; listens to the King's first answer to the Petition, 297; agrees, at Eliot's motion, to discuss a Remonstrance, 302; is forbidden by the King to lay scandal on his ministers, 302; bursts into tears, 303, inserts into its Remonstrance a clause condemnatory of Buckingham, 306; goes on with the Remonstrance and joins the Lords in asking for a better answer to the Petition of Right, 308; impeaches Manwaring, 312; passes the Subsidy Bill, 315, completes the Remonstrance, and complains that Calvinism is discountenanced and Arminianism favoured, 316, declares Buckingham's power to be the chief cause of evil, 317, a tonnage and poundage Bill in committee in, 322; proposes to pass a Bill for a temporary grant of tonnage and poundage, *ib.*, draws up a Remonstrance on tonnage and poundage, 323; end of the session of, 325; its case against the King, 328; complains in 1629 of the enrolment of the first answer to the Petition of Right, vii. 30; considers its privileges to be violated by the seizure of Rolle's goods, 32; is pleased with the King's speech, but postpones the consideration of tonnage and poundage, 34; takes into consideration the question of religion, 35, refers the question of religion to a committee, 36; goes into committee on the report from the committee on religion, 37; adopts a resolution against Arminianism, the sense of which it is unable to make clear, 41; resolves to inquire into recent pardons, 44, orders further inquiry into the pardons, 47, challenges the authority of Convocation, 48; admits that Montague is legally a bishop, 49; charges brought against Neile in, 76; Cromwell's first speech in, 55; fresh charges brought against Neile and Cosin in, 56; takes up again the question of tonnage and poundage, 57, sends one of the sheriffs of London to the Tower, 58; breach of the privileges of, *ib.*; sends a message to the Court of Exchequer, and summons the Custom House officers to the bar, 61; attempts to evade May's argument, 63; resolves that Rolle is to have privilege for his goods, 64; adjourns to consider its position, 65; resolutions on religion of the sub-committee of, *ib.*; attempts made to avert a rupture between the King and, 66; the Speaker held down in his chair by members of, 68; riotous proceedings in, 69; Hobart locks the door of, 70; Eliot's resolutions read by Holles in, 75; end of the session of, 76; at the opening of the Short Parliament Windebank reads the letter from the Scots to the King of France in, ix. 99; debate

COM

on grievances in, *ib.*; petitions from the counties to, 101; Pym's speech on grievances in, *ib.*; appeal of Charles to the Lords against, 108; resolves to confer with the Lords on grievances, *ib.*; votes the interference of the Lords to be a breach of privilege, 110; sends for Dr. Beale, 111, resolves to clear up the question of the King's right to voluntary taxation, 112; discusses the King's demand of twelve subsidies, 113; demand for the abolition of military charges made in, 114, proposed petition against the war to be made by, 116; the Short Parliament dissolved on Vane's assurance that not one penny will be voted by, 117; temper of, at the opening of the Long Parliament, 218, support given by the Scottish army to, 219; chooses Lenthall as its Speaker, 220, listens to Irish grievances, 222; Pym's leadership of, 223, general complaint of grievances in, 224, resolves to spare the King and to call his ministers to account, 226, is afraid of a Catholic plot, 227; meeting of the Irish committee of, 230; resolves to examine into the case against Strafford, 231; alarm felt in, 233, names a select committee to prepare a charge against Strafford, 234; impeaches Strafford, 235; sends for Radcliffe, and orders the liberation of Prynne, Bastwick, Burton, Leighton, and Lilburne, 236; financial difficulties of, *ib.*, appoints a fast, 237; attacks the monopolies, 238; loan offered by the members of, 239; takes alarm at the attempt to assassinate Heywood, *ib.*, draws up a preliminary charge against Strafford, 240; two subsidies voted by, 242, sends for Windebank, 243, the Queen proposes to bribe members of, 244; Finch defends himself before, 246; Finch impeached by, 247; first serious division of opinion in, *ib.*; postpones the consideration of the London petition against episcopacy, and votes that no one is bound by the new canons, 248; proposes to provide for the King's revenue, and grants two more subsidies, 250; a Bill for Annual Parliaments brought into, 253; refuses to pay interest unless it is named damages, 255; negotiation of the Queen with the leaders of, 259, considers the demands of the Scots, 261; turns the Annual Parliaments Bill into a Triennial Bill, 262; demands Goodman's execution, 265; distrusts Charles's sincerity, 268; resolves to investigate the contributions of the Catholics, and presses for Goodman's execution, 269; fear of the Irish army felt in, 270; articles against Strafford voted in, *ib.*; votes a Brotherly Assistance to the Scots, and leaves Goodman in prison, 272; receives coldly the Queen's overtures, 273; the ecclesiastical petitions debated in, 276; parties begin to form in, 281; a compromise

COM

accepted at the end of the debate on the Londoners' petition in, 287; is unanimous against the Catholics, 289, impeaches Berkeley, *ib.*; asks the Lords to join in a petition against the Irish army, 290, objects to the delay in Strafford's trial, 291; is irritated because the Lords allow Strafford time to prepare for his defence, 292, rise of a feeling against the Scots in, 294; two more subsidies voted by, 295; dissatisfaction in, with the Scottish declaration against English episcopacy, 297; votes that reparation shall be made to Prynne, Burton, Bastwick, Leighton, and Lilburne, 298, resolves that bishops shall not sit in Parliament or exercise temporal functions, 299; has difficulty in finding money for the Scots, 300, Pym opens the case against Strafford on behalf of, 303; growth of a desire for Strafford's blood in, 307, irritates the Northern army by transferring to the Scots money intended for its use, 308, the Army Plot revealed to the leading members of, 317, charge of intending to bring in the Irish army brought against Strafford on behalf of, 318, is alarmed at the danger of the intervention of the Northern army, and passes a resolution that officers are not to command an attack without orders from the King on the advice of Parliament, 325; want of unanimity in, 326, withdraws from the trial in consequence of the decision of the Lords to allow Strafford to adduce fresh evidence, 327, statement on Vane's notes made in, 328; a Bill of Attainder proposed in, 329; reads the Bill of Attainder a first time, but is persuaded by Pym to go on with the impeachment, 330, Bill of Attainder read a second time in, 335, Bill of Attainder in committee in, 336; declares Strafford a traitor, 337; passes the Attainder Bill, 338; is disappointed at Charles's repeated refusals to disband the Irish army, 344, renewed dissatisfaction of, 345, a dissolution expected by, 346; passes the Bishops' Exclusion Bill, 347; silence in, at the news of Suckling's levy, 350; excited discussion in, 351; appoints a committee to draw up a Protestation, 353, accepts the Protestation, 355; invites the Londoners to sign the Protestation, 356; Pym reveals his knowledge of the Army Plot to, 357, resolves that to counsel bringing in a foreign force is to be a public enemy, and forms a committee to examine the Army Plot, 358; panic in, 359, a Bill against the dissolution of Parliament brought into, 360, gives a courteous answer to the demand of the Scots for an ecclesiastical union, 377, growth of the Root-and-Branch party in, 378, the confiscation of Church property mooted in, 379; votes that the customers shall be fined, *ib.*; effect of the vote of the Lords in

COM

favour of retaining the Bishops in their House upon, 381, the Root-and-Branch Bill brought into, 382, argues with the Lords in favour of the Bishops' Exclusion Bill, *ib.*, Bills for limiting the prerogative brought into, 383, report of the Committee on the Army Plot read in, 384; 41101 in, 385, quality of the Presbyterianism of, 386, the Root-and-Branch Bill in committee of, 387; proposed new form of Church government accepted by, 390, lay preachers reproved by, 395; sends up a Bill making the signature of the Protestation obligatory, 413, orders the impeachment of thirteen bishops, and votes that all who refuse the Protestation are unfit to bear office, *ib.*; is irritated by the opposition of the Lords, 414, holds a sitting on Sunday to remonstrate against the King's proposed journey to Scotland, 415, persuades the Lords to join in a request that Pembroke may be Lord Steward and Salisbury Lord Treasurer, 417; Root-and-Branch Bill dropped in, *x. i.*; does not accept the King's offer of a general pardon, *ib.*; declares Suckling, Percy, and Jermynt traitors, appoints a committee of defence, and considers the command of the trained bands, 2; adopts the first ordinance, 4; objects to the leave given to the Spanish ambassador to levy troops in Ireland, and fixes a day for the adjournment of, 10; end of unanimity, *ib.*; cause of the division in, 11; resolutions on ecclesiastical innovations in, 14; orders on lecturers passed in, 16,resents the refusal of the Lords to impart to it their resolution on Divine service, but appeals to the patience of the nation, 17; adjournment of, 18; effect of the news of the Incident on at its re-assembling, 32; is guarded by the Westminster trained bands, *ib.*; the second Bishops' Exclusion Bill in, 37; asks the Lords to suspend all the bishops from voting in their own case, 40; expresses a desire that the King will regard the wishes of Parliament when he makes appointments, 41; is irritated by the appointment of new bishops, and fixes a day for considering the Remonstrance, *ib.*; examinations about the second Army Plot read in, and fresh plots suspected in, 42; hears of the Irish rebellion, 43; votes money and men to suppress the rebellion, 54, offers to pay 1,000 Scots in Ireland, 55; Pym proposes an additional instruction to the Committee in Scotland to be given by, *ib.*; demands that unless a responsible ministry be granted it will provide for Ireland without the King, 56; revolutionary character of the proposal made by, 57; proposes to entrust Essex with authority over the trained bands, 59; the Grand Remonstrance read in, *ib.*; worse news from Ireland received in, 64; votes that an English and a Scottish army shall be sent

COM

to Ireland, 69; votes that the Scots shall number no more than 1,000, 70; votes that 5,000 Scots shall be asked to go, 71; the Grand Remonstrance amended in, 72; orders two priests to be proceeded against, 72; wishes to place the trained bands in a posture of defence under Essex and Holland, 73; fresh evidence on the second Army Plot read in, 76; passes a resolution that there had been a second Army Plot, 74; final debate on the Grand Remonstrance in, 75; proposal to print the Grand Remonstrance, followed by a claim to protest in, 76; tumult quieted by Hampden in, 77; sends Palmer to the Tower, 79; takes umbrage at the dismissal of its guard, 86; a mob alleged to have been invited to Westminster to guard, 86; suspicions of an intention to charge members with treason entertained in, 87; directs the justices of Westminster to protect it, 86; presents the Grand Remonstrance to the King, 88; Charles's resistance to, 89; constitutional position of, 90; appoints a committee to throw the blame on the Lords if they do not pass the Bills sent up to them, 93; a Militia Bill brought into, 95; reads the Militia Bill once in spite of the strong opposition to it, 96; issues a declaration against toleration, 97; petition from the City against the presence of bishops and Catholic lords in, presented to, 98; proclamation commanding the attendance of absent members of, 99; asks for the execution of seven priests, and prints the Grand Remonstrance, 100; receives a petition from ministers, who ask that their consciences may not be forced, 101; refuses to its members the right of protest, 102; reads the Militia Bill the first time, and asks the Lords to agree to send 10,000 Scots to Ireland, 103; inquires into the hindrance thrown by the City authorities in the way of a petition to itself, 104; asks the Lords to join in a petition for the dismissal of Lunsford, 109; draws up a declaration for the safety of the kingdom, 110; requests Newport to take personal charge of the Tower, 111; receives bad news from Ireland, 112; takes alarm at Dillon's evidence on the overtures of the Irish Catholics to Charles, 113; refuses to blame the rioters who had insulted the bishops, 118; offers to join the Lords in asking for a guard, if Essex might command it, 119; refuses to send for the City trained bands, but impeaches the bishops who had signed the protest, 125; asks the King to appoint the Earl of Essex to command the guard, 126; sends for halberds, and orders a committee of the whole House to meet at Guildhall, 126; intention of the King to impeach five members of, 129; the Attorney-General impeaches five members of, 130; rejection of its demand

COM

for a guard under Essex, 131; asks the City for the protection of its trained bands, 132; takes steps to protect its members, 136; the King offers a guard commanded by Lindsey to, 134; hears of the gathering of armed men at Whitehall, 136; warnings conveyed to, 137; withdrawal of the five accused members of, 138, the King takes the Speaker's chair in, and demands the five members of, 139, the King's departure from, 141; danger of, from the King's followers, 140; proceedings of its Committee at Guildhall, 143; its quarrel with the King is beyond a compromise, 145; sits in committee at Grocers' Hall, 147; is guarded by the City trained bands, 148; return of the five members to, 149; comes back to Westminster, 150; agrees with the Lords to send Hotham to secure Hull, 153; is alarmed by the proceedings of Digby and Lunsford at Kingston, 154; invites the counties to defend themselves, 155; declares that no fortresses are to be delivered up without the authority of the King signified by both Houses, 156; recommends that the Lord-Lieutenants shall be appointed by Parliament, 157; demands that the fortresses and the militia may be entrusted to persons in whom Parliament may confide, 159; informs the Peers that it would be sorry to save the kingdom without them, 160; draws up a militia ordinance, 161; impeaches the Attorney-General and Digby, 167; votes that the kingdom is to be put in a posture of defence, 171; claims supreme power for Parliament, 176; disquieting rumours reach, 177; treats harshly the Kentish petitioners, 181; orders the garrison of Hull to be reinforced, and the munitions at Hull to be brought to London, 184; appoints a committee to prepare a declaration of its ecclesiastical policy, 185; amends the King's Militia Bill, 191; contributions asked from the members of, 201; requests the Lords to appoint a committee of safety, and votes the raising of an army for active service, 209; impeaches Gurney, 126; votes that Essex shall take the command, 211; attempts to defend itself against the accusation of setting up an arbitrary government, 215; calls on its members to swear to live and die with Essex, 217

Communion, kneeling posture at the reception of, directed to be observed in one of James's five articles, iii. 222; enjoined to be observed in the chapel at Holyrood, 223; objection felt in Scotland to, 229; adopted by the Assembly of Perth, 236; indictment of a minister for refusing to administer to his congregation in their seats, ix. 81

Communion-table, the, Elizabeth's compromise on the position of, vii. 15; dispute at Grantham about, 16; arrange-

COM

- ment made at Duckden for, 17; is placed by the side of the pulpit in Whitelocke's house, 46; is moved to the east end of Winchester Cathedral, 56; removal of, by Laud at Lambeth, 108; Williams gives his opinion on the position assigned to, at Leicester, 309; dispute about the position of, at St. Gregory's, 310; decision of the King on the dispute about the position of, 311; Wentworth removes, at Dublin, viii. 45; general order for the removal of, 114; cases of its removal, 116; directions given in the Canons of 1640 on the position of, ix. 143; the soldiers pull down the rails round, 176; the Lords propose to surround with rails in the centre of the church, x. 15
- Companies, the Trading, their monopoly attacked in the Commons, i. 187. *See* Levant Company. East India Company, the Merchant Adventurers; Spanish Company
- Compositions for knighthood. *See* knighthood fines
- Compton, Lady, wishes to marry Sir John Villiers to Frances Coke, iii. 88; asks the Council to help Coke to get possession of his daughter, 91; is created Countess of Buckingham, 208. *See* Buckingham, Countess of
- Compton, Lord, 1580-1618 (William Compton), created Earl of Northampton, iii. 215. *See* Northampton, Earl of
- Compton, Sir Thomas, marries Buckingham's mother, iii. 87
- Comus, the performance of, vii. 335
- Con, George, is named as a fit person to be the Pope's agent at the Court of Henrietta Maria, viii. 138; his friendly reception by Charles, 236; rouses the Queen to take interest in Catholic conversions, 16; calls Denbigh a Puritan as, 238; urges the Queen to stand up for the Catholics, 239; obtains the Queen's assistance in combating a proposed proclamation against the Catholics, 240; his opinion of Newcastle's character, 244; returns to Rome and dies, ix. 87
- Condé, Prince of, has the peace with the Huguenots broken, vi. 2
- Confession, Greenway reveals the Gunpowder Plot to Garnet in, i. 275; reluctance of the Government to charge Garnet with knowledge obtained in, 279; Panzani's report of English opinion on, viii. 136
- Connaught, condition of, after James's accession, i. 379; title of the landowners of, acknowledged in the Graces, viii. 14; proposed plantation of, 60; Wentworth's visit to, 16; juries summoned to find the King's title to, 61; success of Wentworth in, 62; the English House of Commons drops the charge against Strafford for his conduct in, ix. 304; abandonment of the plantation of, x. 45;

CON

- Ranclagh fears for the maintenance of order in, 112; order kept by Clanrickard in, 116
- Connecticut, foundation of the colony of, viii. 171
- Conry, Florence, said to be implicated in a plot for a revolt in Ireland, i. 413
- Consecration of churches, vii. 242
- Constable of Castile, the (Duke of Frias), arrives at Brussels to negotiate a peace with England, i. 207; leaves directions with Villa Mediana, about the Infanta's marriage, 220
- Constant moderators, appointment of, i. 321
- Contarini, Alvise, proposes to Dorchester a peace with France, vi. 345; converses with Buckingham on the proposed peace, 346; his last interview with Buckingham, 347; continues his negotiation after Buckingham's death, 366; finds a supporter in the Queen, 367; acts as mediator between England and France, vii. 100; hopes for an alliance between England and France against Spain, 101
- Continuance of Parliament Bill. *See* Dissolution of the Long Parliament without its own consent, the Bill against the
- Contraband of war, dispute on the nature of, vi. 40
- Contract, the Great, discussed and broken off, ii. 69; resumed consideration of, 83; is broken off, 107
- Contribution for the war with Scotland, the, is demanded, ix. 7; small amount of, 25
- Contributions of money, plate, or horses, demanded by Parliament, x. 201
- Convention of Estates, held in Edinburgh in 1640, ix. 148
- Convocation of the province of Canterbury, presses the canons of 1604 against the nonconformists, i. 195; draws up the canons of 1606, 289; its legislative power questioned by the Commons, 291; is declared by Bishops Buckeridge, Howson, and Laud to be the proper judge of controversies in the Church, v. 402; acknowledgment, in the King's Declaration, of the authority of, vii. 21; the Commons challenge the authority of, 48; grants six subsidies, ix. 108; continues to sit after the dissolution of Parliament, 142; confirms its grant of subsidies and issues new canons, 143; its right to sit after the dissolution of Parliament questioned, 147; dissolution of, 148; its composition contrasted with that of the proposed national synod, x. 101
- Convocation, the Irish, Wentworth's dealings with, viii. 52
- Conway, Lord, 1624-1627 (Edward Conway), is appointed a member of the Committee on foreign affairs, v. 323; makes a confused statement in applying to the Commons for supply, 404; is attacked for giving a protection to a Catholic lady,

CON

413; tells the Council of War that it must vote without debating, 128; remonstrates through the ambassadors in France on the Queen's refusal to be crowned, vi. 48; assures the Commons that Buckingham has done nothing without counsel, 84; does not believe that the French wish to quarrel with England, 39; sends away the Queen's French attendants, 136; speaks of Buckingham as Judas for wishing to make peace with Spain, 163. *See* Conway, Sir Edward, Conway, 1st Viscount

Conway, Sir Edward, is sent to mediate in Germany, iii. 361; is ordered to go to Brussels, 363; gives advice to the Princes of the Union, 368, witnesses the battle of Prague, 383, recall of, 387; becomes Secretary of State, iv. 410, writes to the Prince that his father wishes him to come home at once, v. 58, writes to Buckingham on James's objections to some of the marriage articles, 64, wishes that Rutland may have a fair wind, 97, negotiates with the Spanish ambassadors on the relaxation of the penal laws, 99; misrepresents to the Dutch the negotiation with Spain for a partition treaty, 174, supports Buckingham against Spain, 177, teaches Buckingham to envy the financial resources of the Dutch, 195, is a member of the Council of War, 223, countersigns Charles's engagement in favour of the Catholics, 278; suggests that Christian IV. shall share the expense of the league proposed by Gustavus, 298, is made Lord Conway, 310. *See* Conway, Lord, Conway, 1st Viscount

Conway, Sir Edward, the younger, describes the condition of the army at Rhé, vi. 181. *See* Conway, 2nd Viscount

Conway, 1st Viscount, 1627-1631 (Edward Conway), orders Wilmot to ship his men at Plymouth, vi. 192; ill-health of, 341; resigns the Secretaryship, and becomes President of the Council, 372; death of, vii. 194. *See* Conway, Sir Edward; Conway, Lord

Conway, 2nd Viscount, 1631 (Edward Conway), appointed to command the Horse in the second Bishops' War, ix. 84; condition of his soldiers, 152; executes a soldier by martial law, *ib.*; complains to Strafford that Northumberland has questioned the legality of his proceedings, 163; begs to be allowed to lay an imposition on the townsmen of Newcastle for building fortifications, *ib.*; is empowered to exercise martial law, 176; reports that the Scots are not ready to invade England, 182; is convinced that an invasion is impending, 184; complains that Newcastle is indefensible, and asks for reinforcements, 185; is ordered to fortify Newcastle, 186; reports that the Scots are behaving well in Northumberland, 189; is unprepared to meet an enemy in the

COK

field, 192; attempts to defend the ford at Newburn, 193, is routed by the Scots, 194; evacuates Newcastle, and brings his troops to Darlington, 195. *See* Conway, Sir Edward, the younger

Conyers, Sir John, commands the garrison of Berwick, iv. 84; reports that the Scots are not ready to invade England, 182, intention of the Army Plotters to displace, 313; complains of Chudleigh's proceedings, 324, is sounded on the feasibility of bringing the army to London, 398, refuses to have anything to do with the second Army Plot, 400, the Commons ask for his appointment as Lieutenant of the Tower, x. 109, the Lords object to ask Charles to make him Lieutenant of the Tower, 154; is named Lieutenant of the Tower, 165

Cook, Alan, his misconduct as Chancellor of the Diocese of Kilmore, viii. 42

Coote, Sir Charles, cruelty of the soldiers of, x. 114, burns Clontarf, and provokes the Catholic lords, 115

Cope, Sir Walter, his apology for Salisbury, ii. 144; becomes Master of the Wards, 207

Copley, Anthony, takes part in Watson's plot, i. 109; gives information to Blackwell, 113; is convicted, 138; is banished, 139

Corbet, Richard (*Bishop of Oxford*, 1628; *of Norwich*, 1632), his remarks on pews, vii. 313; becomes Bishop of Norwich, 314

Corbet, Sir John, applies for a *habeas corpus*, vi. 213

Corbie, is taken by the Cardinal Infant, viii. 161; is retaken by the French, 164

Cotbridge, drownings at, x. 67

Cordova, Gonzalo Fernandez de, informs Frederick's officers that he will not fight without special orders, iv. 209, seizes Stein, 215; refuses to help Tilly, 307; joins Tilly, and helps him to defeat the Margrave of Baden at Wimpfen, 310; combines with Tilly in defeating Christian of Brunswick, at Hochst, 318; ravages the Palatinate, 321; fights with Mansfeld at Fleurus, 342

Cork, refuses to admit an English garrison, i. 367; procession of priests and friars at, 368; submits to Mountjoy, 371

Cork, Earl of, 1620 (Richard Boyle), is one of the Lords Justices, viii. 27; character and conduct of, 33; is fined for appropriating Church property, and is ordered to remove Lady Cork's tomb, 44; efforts made in his favour at the English Court, 183

Cornwallis, Sir Charles, appointed ambassador in Spain, i. 342; supports the demands of the English merchants, 354; returns to England, ii. 134; is imprisoned, 250; sent as commissioner to Ireland, 295

Coronation of James I. i. 116; of Charles I. vi. 49

Corporation, the new, viii. 200

COR

- Correr, Angelo, his remarks on the collection of ship-money, vii. 376
- Counna, gathering of a Spanish fleet at, ix. 58
- Coryton, William, is ready to vote supply on condition of a sweeping inquiry, v. 413; supports the Petition of Right, vi. 274; strikes a member of the House, vii. 60; asks that Eliot's protestation may be read, 72; having been imprisoned, makes his submission, and is released, 80
- Cosin, John, assists Montague in the publication of *Appello Casarem*, vii. 9; his *Book of Devotions*, 10; Puritan opposition to, 11; receives a special pardon, 23; is charged with ceremonial innovations at Durham, 44; gives his opinion on the Royal Supremacy, 46; charge brought against, 47; Eliot accuses Heath of stifling a charge against, 49; is charged with reading *The Preparation for the Mass*, 56; Bishop Howson prohibited from proceeding against, 129; preaches on the Peace of Jerusalem, 159; arrangement of his church, 267
- Cottingham, Francis, lays the case of the English merchants before the Spanish Government, ii. 134; is appointed English Consul at Seville, 151; is employed to beg Sarmiento to warn James against the French alliance, 226; is Agent at Madrid, iii. 279; returns from Spain, and becomes Secretary to Prince Charles, iv. 373; objects to the Prince's journey to Spain, v. 4; is threatened by Buckingham, 322. See Cottingham, Sir Francis; Cottingham, Lord
- Cottingham, Lord, 1631 (Francis Cottingham), expresses satisfaction at Vane's failure to come to terms with Gustavus, vii. 206; talks of the decline of the Spanish monarchy, 215; is appointed to carry on a negotiation with Necolalde, 349; becomes a Commissioner of the Treasury, 379; is spoken of as likely to be Lord Treasurer, viii. 68; conduct of, on the Treasury Commission, 69; appointed Master of the Wards, 70; quarrels with Laud about the soap monopoly, 71; is in favour with the Queen, 87; supports the King's proposal to enclose Richmond Park, 116; is thought to be sure of the Lord Treasurership, 88; takes Bagg's part in the Star Chamber, 89; takes off his hat when the Pope's name is mentioned, 136; assures Panzani that Parliament is not about to be summoned, 137; declares himself a Catholic when ill, and loses his chance of becoming Lord Treasurer, 140; intrigues with France and Spain, 146; mystifies Seneterre, 141; gives an opinion of Laud's temper, 149; is thought to have been bribed by Spain, 162; is offered a bribe by Loftus, 194; urges the King to favour Williams, 252; votes for war with Scotland, 350; declares it to be impossible to find money for the war ix. 24; speaks roughly to

COT

- the Lord Mayor and aldermen, 39; is a member of the Committee of Eight, 74; says that the Lower House is weary of King and Church, 122; employs an agent to borrow money from France, 157; is sent to the City to induce the citizens to lend, 174; begs for a loan from France, 175; obtains money by the sale of pepper, 190; is appointed Constable of the Tower, 191; proposal to impeach, 226; wishes to surrender his offices, 260; gives evidence that he does not remember hearing Strafford propose to bring over the Irish army, 321. See Cottingham, Francis; Cottingham, Sir Francis
- Cottingham, Sir Francis, makes his peace with Buckingham, and is sent to Dover to hire a ship for the Prince, v. 6; is commissioned to ask the Spanish Government to allow the Prince to return to England, 51; carries a message from Charles to England, 53; brings to James the news that the Infanta is not to accompany the Prince, 56; returns to Spain with the signatures of the King and Council to the articles of marriage, 101; temporary conversion of, 102; is excluded from Charles's Court, 321; is out of Buckingham's favour, 322; becomes a Privy Councillor, vi. 371; proposal to send to negotiate a peace with Spain, vii. 103; is appointed Chancellor of the Exchequer and ambassador to Spain, 105; is ordered to set out, 107; urges Charles to ally himself with Spain against the Dutch, 108; fails to persuade Olivares to make a positive engagement to effect the restitution of the Palatinate, 171; proposes to Spain a league against the Dutch, 172; signs a treaty of peace with Spain, 175; signs a treaty for the partition of the Netherlands, 176; brings home 80,000*l.* to be sent in bills of exchange to the Spanish Netherlands, 177; is created a baron, 178. See Cottingham, Francis; Cottingham, Lord
- Cotton, John, is influenced by Sibbes, vii. 260; emigrates to New England, 317
- Cotton, Sir Robert, draws up a report on the navy, ii. 187; carries on a secret negotiation with Sarmiento, 321; declares himself to be a Catholic, 326; informs Sarmiento that Somerset is to conduct the marriage treaty, 327; prepares a pardon for Somerset, 329; affixes false dates to letters written to Somerset, 337; arrest of, 346; is examined on his negotiation with Sarmiento, 347; is sent to search Coke's papers, iv. 267; speech ascribed to, v. 425; is heard before the Council on the proposed debasement of the coinage, vi. 138; meeting of the leaders of the Commons at the house of, 230; proposes to refute Dudley's paper of advice, 130; is prosecuted in the Star Chamber on account of the discovery of Dudley's paper in his library, 140; death of, 141

COU

Council of the North, the, Wentworth's speech 17, vii. 24; Bellasys makes his submission to Wentworth in, 230; is without Parliamentary authority, 232; its jurisdiction attacked by the courts at Westminster, 237; receives new instructions, 239; abolition of, ix. 404

Council of Wales, abolition of, ix. 404

Council of War, a, formed to advise James on the war in the Palatinate, iii. 388; report of, iv. 31; formation of another announced by James, v. 202; appointment of, 223; refuses to supply Mansfeld, 265; agrees to order the advancement of money to Mansfeld, 271; Mansell's account of a discussion in, 428; the Commons wish to inquire into the advice given by, vi. 73; refuses to answer the questions put by the Commons, 74; sends in an estimate for the military and naval expenditure of 1628, 239; estimates the number of men needed for a war with Scotland, ix. 84

Council, the Great, proposal to summon, ix. 200; is summoned to meet at York, 201; is opened by Charles, 207; appoints commissioners to treat with the Scots, 208; breaks up after accepting the agreement made with the Scots, 215

Council, the Privy, proceedings of, after Elizabeth's death, i. 85; asks the Irish Government to justify its proceedings against the recusants, 396; recommends that Parliament shall be summoned in 1615, ii. 364; James's relations with, iii. 72; discussion on the course to be taken with Raleigh in, 132; meets to hear James announce his intentions about Bohemia, 313; advises that Philip shall be summoned to obtain the restitution of Heidelberg, iv. 371; supports Buckingham and Charles in their opposition to James's wish to rely on Spanish promises, 373; asks James to summon Parliament, 375; agrees to the Spanish marriage treaty, v. 67; swears to observe the public articles, and not to exact penalties from the Catholics, 69; declares Buckingham to be innocent of the charges brought by Inojosa, 228; submission of the French marriage treaty to, 262; sanctions the suspension of proceedings against the recusants, 263; formation of, at Charles's accession, 379; adopts Buckingham's proposal to execute the penal laws against the Catholics, 418; meets to consider whether Parliament is to be dissolved, 429; reprimands Mansell, vi. 1; Charles resolves to consult on all occasions, 3; takes measures for the defence of Harwich, 8; recommends the sending of a fleet to bring away the English ships from Rochelle, 38; directs a settlement of the dispute about French prize goods, 43; receives petitions for the release of the 'St. Peter' of Havre de Grace, 65; does not recommend extreme measures against the Lords who refuse to

COU

pay the forced loan, 150; mission of members of, to collect the forced loan, 153; calls before it the refusers of the loan, and commands them to obey the King, 155; is in favour of peace with France, 220; does not venture to express its opinion, 222; considers various devices for raising money, *ib.*; assents to Buckingham's proposal to raise a standing army, 223; policy of withdrawing from Continental engagements supported in, 225; its right to commit prisoners without showing cause asserted by Coventry, 258; the answer to be given to the Petition of Right discussed in, 296; considers the question whether aid shall be given to the King of Denmark, 332; orders assistance to be given to the officers of the Custom House, vii. 4; commits Chambers to the Marshalsea, *ib.*; approves the declaration prefixed to the Articles, 23; assents to the King's declaration that the Custom House officers are not responsible to the Commons, 64; urges the merchants to pay tonnage and poundage, 82; attempts to relieve distress in Essex, 83; attempts to remove social abuses, 160; Cromwell summoned before, 165; advises Charles to summon Parliament if he wishes to aid Gustavus, 193; recommends Charles to reject the terms offered by Gustavus, 196; orders the demolition of houses round St. Paul's, 246; the suit about the communion-table at St. Gregory's brought before, 311; attempts to check emigration to New England, 318; the levy of ship-money proposed to, 357; approves of Charles's claim to the sovereignty of the seas, 358; appoints a committee to consider ship-money, 359; directs the sheriffs to assess ship-money, viii. 93; insists upon having assessments for ship-money made by the sheriffs, 102; places restrictions on emigration, 167; is consulted on the affairs of Scotland, 349; fails to obtain money for the war with Scotland, ix. 25; attempts to extort a loan from the City, 39; orders the prosecution of Lord Loftus, 72; Traquair's report to, 76; accepts Wentworth's advice to summon Parliament, *ib.*; offers a loan to Charles, 77; thinks of burning a heretic, 82; fails to induce the City to lend to the King, 98; votes for the dissolution of the Short Parliament, 117; orders watch to be kept after the Lambeth riots, 133; takes measures to enforce the payment of ship-money, and of coat-and-conduct money, 141; proposed debasement of the coinage discussed in, 171; is distracted by the news of the Scottish invasion, 189; provides for the defence of London and the South of England, 191; asks Bedford to return to his own country, 198; suggests the calling of a Great Council, 200; a copy of the Petition of the Twelve Peers brought before, 202; refuses to support the petition, *ib.*; tries

COU

- to stop the signing of a petition in the City, 205
- Councillors' loan, the, offer of, ix. 77; final amount of, 126
- Court of Wards, erected in Ireland, viii. 13
- Courthope, Nathaniel, arrives at Pularoon, iii. 168; defends Pularoon, 175, is drowned, 181
- Courtney, Sir William, his regiment refuses to land on the Isle of Rhé, vi. 173
- Covenant, the King's, in its first form, sent to Scotland, viii. 361; sent to Scotland in its second form, 363; is rejected, 364
- Covenant, the National, drawn up by Johnston and Henderson, viii. 329; signed at Edinburgh, 333; is circulated for signature through the country, 336; Charles demands the abandonment of, 339; Hamilton suggests an explanation of, 344; Charles rejects the proposed explanation of, 345; Wentworth's opinion of, 354; attempt to enforce its signature in Aberdeen, 360; Huntly's refusal to sign, ix. 5; orders given by the Assembly of Edinburgh to enforce the signature of, 50
- Covenanters, the, negotiate with Hamilton, viii. 341; engage to do nothing for three weeks, 345; appeal to Assembly and Parliament against the King's declaration, 346; are encouraged by Hamilton, 347; send Montrose against Aberdeen, 358; charge the bishops before the Presbytery of Edinburgh, 368; issue a manifesto, 389; assume the offensive, ix. 1; seize the strong places in Scotland, 2; blue badges given by Montrose to, 3; a price set on the heads of the leaders of, 9; write a letter to Essex, 12; Hamilton holds conferences with, 19; answer Charles's proclamation, 21; condition of the army of, 30; Treaty of Brunswick signed by, 40; propose to send troops to aid the Elector Palatine, 42; warm discussions between Charles and some of the leaders of, 46; believe that Charles wishes to restore episcopacy, 47; dislike Traquair's appointment as Commissioner, 49; write a letter to the King of France, 91; seizure of the letter written by, 92; Charles sends to Louis a copy of the letter written by, 97; canvass the deposition of Charles, 149; ask that their grievances may be redressed by the advice of an English Parliament, 201
- Coventry, refuses to admit the King, x. 218
- Coventry, 1st Lord, 1628-1640 (Thomas Coventry), asserts the right of the Council to commit without showing cause, vi. 258, announces to the Commons that the King expects them to be content with his promise to observe the laws, 263; asserts that no one ought to be imprisoned without cause shown, unless in a case of necessity, 278; is directed by the Lords to inform the King that their feeling is against a dissolution, 307; complains that the judges have bailed Chambers

CRA

- without giving notice to the Council, vii. 5, asks Charles not to dissolve Parliament after the session of 1629, 77; takes part in a conference on the terms on which bail is to be offered to the imprisoned members, 109; suggests to Sir John Walter to ask to retire from the Bench, 112; directs the judges to enforce the proclamation ordering country gentlemen to return to their homes, 240; is on the side of leniency in Sherfield's case, 257; brings charges against Portland, 355; approves of Noy's proposal to levy ship-money, 357; announces the King's intention to extend ship-money to the inland counties, viii. 77; explains the King's claim to the sovereignty of the seas, and announces that ship-money must be paid by all counties, 79; is silent on the nature of the King's right to levy ship-money, 80; does not favour the attempt of the Council to force the City to lend money, ix. 39; takes part in the Councillors' loan, 77; death of, 84. *See* Coventry, Sir Thomas
- Coventry, and Lord, 1640 (Thomas Coventry), prepares to execute the commission of array in Worcestershire, x. 210
- Coventry, Sir Thomas, becomes Solicitor-General, iii. 81; becomes Attorney-General, iv. 23; becomes Lord Keeper, vi. 32; speaks at the opening of Parliament, 59, informs the Commons that they have liberty of counsel, not of control, 82; states that men refusing to be pressed cannot be hanged, 157; created a Baron, 258. *See* Coventry, Lord
- Cowell, Dr., opinion of, condemned by the Commons, ii. 66; disavowed by the King, 67
- Cowes, seizure of a ship by the Dutch in the roads of, v. 85
- Cowper, William (*Bishop of Galloway*, 1613-1619), takes part in the composition of a Prayer-book for Scotland, vii. 282
- Cradock, Matthew, proposes the transference of the Massachusetts Company to America, vii. 156; describes the military arrangements at the Tower, ix. 233; says that the City cannot lend money unless the King's garrison is removed from the Tower, 237; states that the Northern army is to be supplied with munitions of war, 356
- Craig, Dr., is ordered to leave the Court for remonstrating against Lady Buckingham's treatment of James, v. 333
- Cranborne, Viscount, 1604 (Robert Cecil), accepts a Spanish pension, i. 215; wishes a balance between France and Spain, 217; refuses to insist upon the abandonment of the Dutch blockade of the Flemish ports, 218; is said to be favourable to a marriage between Prince Henry and the Infanta Anne, 220; opposes the toleration of the Catholics, 226; created Earl of Salisbury, 230. *See* Cecil, Sir Robert; Cecil, Lord; Salisbury, Earl of

CRA

- Crane, Sir Robert, brings a charge against Cosin, vii. 56
- Cranfield, Lord, 1621 (Lionel Cranfield), becomes Lord Treasurer, iv. 228, asks the Commons for a supply, 233; is created an Earl, iv. 364. *See* Cranfield, Lionel; Cranfield, Sir Lionel; Middlesex, Earl of
- Cranfield, Lionel, early life of, iii. 198; is introduced to the King, 199. *See* Cranfield, Sir Lionel; Cranfield, Lord; Middlesex, Earl of
- Cranfield, Sir Lionel, is appointed Surveyor-General of the Customs, iii. 190; reform of the Household effected by, 200; becomes Master of the Wardrobe, 203; becomes Master of the Wards, 212; marriage of, 213; attacks the referees, iv. 46; is jealous of Bacon's interference with the Court of Wards, *ib.*; blames Bacon for issuing bills of conformity, 57; promises to pay attention to the burdens on trade, 128; expected to succeed Bacon as Chancellor, 135; is raised to the peerage, 240. *See* Cranfield, Lionel; Cranfield, Lord; Middlesex, Earl of
- Cranmer, Thomas (*Archbishop of Canterbury*), renounces transubstantiation, i. 10; his opinion on the introduction of innovations, iii. 245
- Crashaw, Richard, writes verses prefixed to Sheldrake's *Five Discourses*, viii. 124
- Craven, Lord, 1626 (William Craven), his name used as security for the advance of money for the Palatinate, vii. 343; offers to lend 30,000*l.* to the Elector Palatine, viii. 204; is taken prisoner by the Imperialists, 376
- Crawford, Earl of, 1639 (Ludovick Lindsay), his part in the Incident, x. 21, is set at liberty, 80
- Crawley, Francis (*Justice of the Common Pleas*, 1632), his judgment in the ship-money case, viii. 278
- Crew, John, is sent to the Tower, ix. 129
- Crew, Ranulph, Serjeant, takes part in the prosecution of Somerset, ii. 337. *See* Crew, Sir Ranulph
- Crew, Sir Ranulph (*Chief Justice of the King's Bench*), is dismissed from the Chief Justiceship, vi. 149
- Crew, Sir Thomas, is Speaker of the first Parliament of Charles I., v. 339. *See* Crew, Thomas
- Crew, Thomas, is charged with a message on the conduct of the refugees, iv. 46; asks who is the enemy, 238. *See* Crew, Sir Thomas
- Croft, Sir William, is the bearer of James's promise to accept the articles of marriage, v. 61
- Crofty, the hill of, junction of the Lords of the Pale and the Ulster insurgents at, x. 115
- Croke, Sir George (*Justice of the Common Pleas*, 1624; *of the King's Bench*, 1628), gives a guarded opinion on the legality of ship-money, viii. 94; signs the judges' declaration on ship-money, 208; delivers

CUL

- judgment in the case of ship-money 278
- Cromwell, Lord, 1607 (Thomas Cromwell), gives an account of the state of Mansfield's army, v. 289; complains of Mansfield's conduct, 336; warns Buckingham against his isolation, vi. 9
- Cromwell, Oliver, family history of, vii. 51; early life of, 52; first parliamentary speech of, 55; objects to the new charter of Huntingdon, and is summoned before the Council, 165; removes to St. Ives, 166; his part in the disturbances caused by the drainage of the fens, viii. 297; nickname of 'Lord of the Fens' improperly applied to, 298; moves the second reading of the Annual Parliament Bill, ix. 253; denies that a parity in the Church will lead to a parity in the commonwealth, 286; his limited practical insight, *ib.*; passes on the Root-and-Branch Bill to Hazlerigg, 381; urges that there are passages in the Prayer-book to which learned divines cannot submit, x. 15; attacks Charles's appointment of new bishops, 41; moves to entrust Essex with authority over the trained bands, 59; thinks that there will not be a long debate on the Grand Remonstrance, 74; declares that if the Grand Remonstrance had been rejected he would have emigrated to America, 78; moves that the King be asked to remove Bristol from his councils, 119; seizes the Cambridge college plate on its way to the King, 218
- Crosby, Sir Piers, is removed from the Irish Privy Council by Wentworth for opposing him in Parliament, viii. 51; Wentworth prosecutes, in the Star Chamber, ix. 70; is fined, 71
- Crucifix, the, Ferrar's reason for not using, vii. 265; employment of, at Lambeth, 308
- Cubia, Don Pedro de, is sent to carry Spanish soldiers to the Netherlands, i. 340, is defeated by the Dutch, 341
- Culmore, surprised by O'Dogherty, i. 42
- Culpepper, Sir John, attacks the monopolies, ix. 238; wishes the Londoners' petition against episcopacy not to be referred to a committee, 261; suggests a compromise, 287; carries up the impeachment of Berkeley, 289; opposes Pym's proposal to compel the Londoners to lend, 295; wishes to meet the Army Plot by a remonstrance, 353; is a member of the committee for investigating the Army Plot, 358; is placed in the chair of the committee on the Scottish demand for unity of religion, and objects to the Scottish proposal of giving the two Parliaments a veto on the declaration of war, 377; proposes a change in the persons of the bishops, 388; opposes the interference of the Lords with a vote of the Commons, 414; is a member of the Committee of Defence, x. 2; asks the House to provide a remedy against

CUM

- those who vilify the Prayer-book, 14; wishes to extend the censure of the House to all who find fault with the Prayer-book, 15; objects to the employment of Scottish troops in Ireland, 55, declares that Ireland must be defended at all costs, 57; opposes the Grand Remonstrance, 75, offers to protest against the printing of the Grand Remonstrance, 76; criticises the Militia Bill, 96; objects to the issue of a declaration against toleration, 97; becomes Chancellor of the Exchequer, 127, signs the protestation of the Peers at York, 205
- Cumberland, Earl of, 1605-1641 (Francis Clifford), commands the garrison of Carlisle, viii. 385
- Cumbernauld, the Bond of, signature of, ix. 181
- Curle, Walter (*Bishop of Rochester*, 1623, of *Bath and Wells*, 1629, of *Winchester*, 1632), becomes Bishop of Winchester, vii. 314
- Currants, imposition on, ii. 3, Date's case in the Court of Exchequer, for refusing to pay the imposition on, 6; sale of Vassall's, ordered by the Court of Exchequer, vii. 168
- Customs, the farmers of the, fine imposed on, ix. 379. *See* Tonnage and Poundage; Impositions
- DALE, Sir Thomas, appointed Marshal of Virginia, ii. 60, becomes Governor of Virginia, 62; is reappointed Governor, iii. 156, is sent out to the East, 170, declares war on the Dutch, 179, defeats the Dutch and dies, 180
- Dalkeith, Traquair, sows the King's gunpowder at, viii. 342; is taken by the Covenanters, ix. 2
- Dalzell, Lord, 1628-1639 (Robert Dalzell), created Lord Carnwath, ix. 55
- Danby, Earl of, 1626 (Henry Danvers), is named as Falkland's successor as Lord Deputy of Ireland, but declines to serve, viii. 27; protests against ship-money, 201
- Danish troops, proposal to levy for employment against the Scots, ix. 175; proposal to land at Hull, x. 153
- Danker, Captain, joins the Barbary pirates, iii. 65
- Dante, desire for order of, i. 8
- Darcy, Sir Francis, wishes Floyd to be twice pilloried and whipped, iv. 120
- Darley, Henry, Strafford's imprisonment of, ix. 231
- Darlington, retreat of Conway to, ix. 195
- Darmstadt, proceedings of Mansfeld and Frederick at, iv. 313
- Darnel, Sir Thomas, applies for a *habeas corpus*, vi. 213
- Davenant, John (*Bishop of Salisbury*, 1621-1641), is chidden for preaching on predestination, vii. 132; forbids the vestry of St. Edmund's to remove a painted window, 255; receives Sherfield's submission, 257

DEN

- Davenant, William, attempts to fly, and is captured, ix. 360
- Davenport, Christopher, *alias* Franciscus a Santa Clara, writer, *Deus, Natura, Gratia*, viii. 134
- Davenport, John, is driven from Amsterdam to New England, vii. 317
- Davenport, Sir Humphrey (*Chief Baron of the Exchequer*, 1631), delivers judgment in the case of ship-money, viii. 279
- Daventry, mutiny of soldiers at, ix. 172
- Davey, Sir Francis, complains of the lenient treatment of the priests seized at Clerkenwell, vii. 57
- Davies, Lady Eleanor, insanity of, vii. 302; is punished by the High Commission, 303
- Davies, Sir John (*Solicitor-General of Ireland*, 1603, *Attorney-General*, 1606-1619), character of, i. 382, becomes Attorney-General, and prosecutes Lalor, 401, describes the results which he expects from Chichester's government, 405, accompanies Ley in the first circuit in Wicklow, x. 406; appears in Ulster to carry out the plantation, 439; disputes about his election as Speaker of the Irish House of Commons, ii. 290, is allowed to sit as Speaker, 299
- Day of Dupes, the, vii. 184
- Deadman's Place, capture of Separatists' meeting at, ix. 266
- Dean, Forest of, investigation into the malpractices of Portland's clients in, vii. 362; commission for granting pardons for encroachments in, viii. 86
- Deans and chapters, their suppression demanded, ix. 372
- Debtors, commission for the relief of, vii. 163
- Declaration of Sports, The*, issued by James, iii. 251; opposition of the clergy to, 252; republished by Charles, vii. 321; is ordered to be read in churches, 322
- Declaration of Religion, The*, issued by Charles, vii. 21; Eliot's criticism on, 38; the Calvinists mainly affected by, 43; policy of, 126; is enforced against Bishop Davenant and Dr. Brooke, 132; enforced by Laud at Oxford, 134; is enforced by Charles at Oxford, 248
- De la Warr, Lord, 1602-1618 (Thomas West), made Governor of Virginia, ii. 59; arrives in the colony, 61; returns to England, 62; is re-appointed Governor, iii. 159; death of, 160
- Delft, the Prayer Book introduced into the Merchant Adventurers' Church at, vii. 216
- Delft Haven, sailing of the Pilgrim Fathers from, iv. 158
- Delvin, Lord, 1602 (Richard Nugent), his part in a conspiracy in Ireland, i. 413
- Denbigh, Countess of, accompanies Charles and Henrietta Maria from Dover to Canterbury, v. 334; wish of Charles that she shall be a lady of the bed-chamber to the Queen, vi. 4; takes part

DEN

against the Queen at Titchfield, 5; enters the Queen's household, 141; is agitated at the thought of Buckingham's danger, 348, is believed to have asked Cosin to write his *Book of Devotions*, vii. 20

Denbigh, Earl of, 1622 (William Fielding), is appointed Rear-Admiral of the expedition against Cadiz, vi. 11; signs a protest that Digges had said nothing contrary to the King's honour, 112; captures three French ships, 142; is placed in command of a fleet for the relief of Rochelle, 228; complains to Charles of the state of his fleet, 239; bad condition of the fleet under the charge of, 254; arrives off Rochelle, 291; fails to relieve Rochelle, 292; returns to England, and is ordered to refit his ships, 293; is called a Puritan ass by Con, viii. 238. *See* Fielding, Sir William; Fielding, Viscount

Denham, Sir John, becomes a judge, iii. 81; delivers judgment in the case of ship-money, viii. 279

Denmark House. *See* Somerset House

Denmark, King of. *See* Christian IV.

Dennison, Dr., abuses his parishioners in his sermon, viii. 111

De Plessen, Volrad, sent on a mission to England, iii. 292

Depopulations, commission on, viii. 77; fines exacted for, 199

Deposing power, claimed by the Popes, i. 292

Derbyshire, is ready to send its trained bands to the Northern army, ix. 203

Dering, Sir Edward, moves the first reading of the Root-and-Branch Bill, ix. 382; speaks in favour of primitive episcopacy, 388; proposes that a national synod shall be assembled, x. 37; opposes a clause on the Grand Remonstrance, 72; defends the bishops from the charge of idolatry, 75; is summoned before the Commons to give account of his part in the Kentish petition, 181

Derry, captured and burnt by O'Dogherty, i. 425

Desmarets, M., visits Raleigh, iii. 54

Deus, Natura, Gratia, written by Christopher Davenport, viii. 134, is proscribed at Rome, 137

Deux Ponts, Duke of. *See* Zweibrücken

Devonshire, resistance to ship-money in, viii. 94; murder of Lieutenant Eure by soldiers from, ix. 172

Devonshire, Earl of, 1603-1606 (Charles Blount), Lord-Lieutenant of Ireland, takes part in the negotiations with Spain, i. 208; accepts a Spanish pension, 215; marriage and death of, 372

Devonshire, Earl of, 1625-1628 (William Cavendish), protests against Buckingham's interpretation of Digges's words, vi. 111

D'Ewes, Sir Symonds, rejoices at the victory of Gustavus at Breitenfeld, vii. 190; character of, 222; his remarks on passing

DIG

events, 223; comments on Prynne's sentence, 334; deplores the defeat of the Swedes at Nördlingen, 372; comments on Berkeley's doctrine that ship-money can be levied by a rule of government, viii. 104; questions the lawfulness of paying interest, ix. 255, fears that Charles means to maintain the bishops, 269; opposes Pym's proposal to compel the Londoners to lend, 295; reminds the House that the bishops will have votes on the Attainder Bill, but not on the impeachment, 331; thinks the liberties and estates of Englishmen are in as great danger as their religion, 388; suggests the issue of ordinances, x. 4; objects to the order of the Lords, enforcing the use of the Prayer Book, 17; asks the House to consider the Papal plot, 32; criticises the Additional Instruction, 57; predicts confusion and calamity, 111; complains that forged speeches are circulated, 135; makes his will after the attempt on the five members, 140; quotes precedents to show that the King's mode of proceeding against the five members is a breach of the privileges of Parliament, 144; objects to the call on members to furnish money, 201; is kept at Westminster by his Puritanism, 208, pleads for an accommodation with the King, 210

Diconson, Frances, defends herself against the charge of witchcraft, vii. 324

Dickson, David, is ready to persuade those who hesitate to sign the Covenant, viii. 333; accompanies Montrose to Aberdeen, 360; is Moderator of the Assembly of Edinburgh, ix. 50

Dieppe, Pennington's fleet at, v. 379; Pennington returns to England from 380; Pennington takes his fleet back to, and meets Nicholas and Effiat at, 387; Pennington sails again from, 391; surrender of Pennington's fleet at, 394

Digby, Lord (George Digby), moves a vote of thanks to the Queen, ix. 273; character of, 276; speaks for the reformation, and against the abolition, of episcopacy, 277; speaks against the Attainder Bill, 338; political conversion of, 76; declares that Goring was not bound by his oath, and has to leave the House, 385; is created a peer, 386; the Commons censure his speech on the Attainder Bill, and ask that he may not be sent as ambassador to France, 407; is appointed ambassador to France 416; asks the Lords to declare that Parliament is no longer free, x. 119; rejection of the motion of, 120; is the probable contriver of the protest of the bishops, 123; suggests the impeachment of the five members, 129; is said to have offered to prove that Mandeville had directed the mob against Whitehall, 130; having undertaken to move for Mandeville's arrest, leaves the House without fulfilling his

DIG

engagement, 131; urges the King to seize the five members, 133, wishes to carry them off from the City, 143; is intended to start for Holland and Denmark, to secure assistance for Charles, 153; meets Lunsford at Kingston, 154; his letter to the Queen from Middelburg is intercepted, 167, is impeached, *ib.*, abandonment of his proposed mission to Copenhagen, 188; is carried into Hull, and urges Hotham to surrender the place to the King, 211; is allowed to escape, 212

Digby, Lord, 1618-1622 (John Digby), advises James to convince Spain that he means to defend the Palatinate, *iii.* 334; remonstrates with Gondomar, 337, accompanies Buckingham in his interview with Gondomar on the subject of the partition of the Netherlands, 359; foreign policy of, 373; insists that Spain must allow an English fleet to attack Algiers, 375; receives a present of plate from the East India Company, *iv.* 79, negotiates at Brussels for peace, 189, receives instructions for his mission to Vienna, 200, negotiates at Vienna, 204; recommends James to send a fleet to the coast of Spain, 207; is dissatisfied with Frederick, 212; complains of the conduct of Frederick's officers, 215; combines with the Emperor in drawing up a scheme of pacification, and leaves Vienna, 216; meets Mansfeld, 218; borrows money for the defence of Heidelberg, 222, speaks in favour of peace at Brussels, 223; returns to England, 224; makes a report to James, 228; temporary popularity of, 229; appeals to Parliament for money to defend the Palatinate, 232; is disappointed at James's resolution to dissolve Parliament, 268; attempts to mediate, 269; policy of, contrasted with that of Gondomar, 270; receives instructions to propose the partition of the Netherlands, 273; finds his policy frustrated by the dissolution of Parliament, 293; returns to Spain, 330; fails to discover the secret policy of Zuñiga, 331; asks the Spanish Government to give assurances of its intention to proceed with the marriage treaty, 333; has an interview with the Infanta, 334; urges the Spanish Government to procure a cessation of hostilities in Germany, *ib.*; obtains from the Council of State a resolution that satisfaction shall be given to the King of England, 336; is created an Earl, 364. *See* Digby, Sir John; Bristol, Earl of Digby, Sir Everard. *See* Gunpowder Plot. Digby, Sir John, appointed ambassador in Spain, *ii.* 135; finds that the Spanish Government is not eager for an English marriage, 138; begs James to give up the idea of marrying his son to an Infanta, 139; endeavours to obtain justice for the English merchants in Spain, 149; coolness of the Spanish Govern-

DIS

ment towards, 163; discovers the secret of the Spanish pensions, 216, returns to England, 217; prepares to go back to Madrid, 256; advises James to marry his son to a Protestant, 257; foreign policy of, 258; opens informal negotiations at Madrid on the marriage treaty, 316, returns to England to give explanation on Somerset's connection with Sarmiento, 346, advises the King to abandon the Spanish treaty, and is made Vice-Chamberlain, 390; receives a grant of the manor of Sherborne, *iii.* 30, receives instructions formally to open the negotiations for the marriage, 61; is ordered to support the plan for an expedition against Algiers, 71; returns to Spain and negotiates with Alaga, 103, returns to England, 104; is created Lord Digby of Sherborne, 106. *See* Digby, Lord; Bristol, Earl of Digby, Sir Kenelm, is ordered by the Commons to give an account of the Catholic contribution, *ix.* 269. Digges, Sir Dudley, takes part in a debate on impositions, *ii.* 239, asks for inquiry into the issue of bills of conformity, *iv.* 57, speaks in the debate on Floyd's case, 120; draws attention to the imprisonment of Sandys, 233; wishes for a war of diversion, 235; supports a petition on religion, 248; supports a motion for adjournment, 251; expresses satisfaction with the King's answer to the Commons' petition for liberty of discussion, 255; is sent to Ireland, 267, opens Buckingham's impeachment, *vi.* 99; is sent to the Tower, 109; the Lords' report of the words spoken by, called in question, 111; is liberated, 112; is dismissed from the justiceship of the peace, 126; finds fault with the commanders of the soldiers, 247; wishes to modify the Bill of Liberties, 265, approves of the Petition of Right, 274; advises the House to go home if it has not freedom of speech, 304; approves of Pym's proposal to discuss the legality of tonnage and poundage before raising a question of privilege, *vii.* 62; does not support Eliot in his resolution to appeal to the country, 67. Dillon, of Costello, Viscount, 1630 (Thomas Dillon), is sent with overtures to the Irish Catholics from the King, *x.* 96; arrives in Ireland, 112; returns to England and informs Charles of the conditions offered by the Catholic lords, 113; is arrested and explains the demands of the Irish Catholics, *ib.* Dillon, Sir James, proposes to seize Dublin Castle, *x.* 50. Discipline, the Scottish Second Book of, *i.* 25; is approved by the General Assembly, 47. *Discovery of Witchcraft*, by Reginald Scot, *vii.* 323. Dissolution of the Long Parliament with-

DIV

- out its own consent, the Bill against the, is brought in, iv. 360; passes both Houses, 361; Charles gives the Royal assent to, 367; constitutional importance of, 373
- Dives, Sir Lewis, sent by the King to Hull, x. 192
- Divine Right of Kings, the language of the Canons of 1640 on, ix. 144
- Divine Tragedy lately acted, A*, written by Prynne, viii. 226
- Doderidge, John (*Solicitor-General*, 1604; *King's Serjeant*, 1607), becomes Solicitor General, i. 297; is made King's Serjeant, 340. See Doderidge, Sir John
- Doderidge, Sir John (*Jussee of the King's Bench*, 1612-1622), is startled by the strength of the argument in defence of the five knights, vi. 215. See Doderidge, John
- Dohna, Baron Achatius, is sent to Dresden, iii. 308; is sent to urge James to defend the Palatinate, 332; attempts to raise a loan in the City, 340; is allowed to levy volunteers, 354; selects Sir H. Vere for the command in the Palatinate, and is insulted by Sir E. Cecil, 358; leaves England, 392
- Dohna, Baron Christopher, sent on a mission to England, iii. 285; is sent back to England to ask James to consent to Frederick's election in Bohemia, 312; leaves England, 314
- Domini, Marco Antonio de, Archbishop of Spalatro, early life of, iv. 282, prepares a work for publication, 283, arrives in England, where he becomes Master of the Savoy, and Dean of Windsor, 284; expects to be made Archbishop of York, 285; resolves to leave England, 286; return to Rome and imprisonment of, 287; death and character of, 288
- Donauworth, occupied by the Duke of Bavaria, i. 92; entered by Gustavus, vii. 197
- Doncaster, Viscount, 1610-1622 (James Hay), appointed ambassador to mediate in Bohemia, iii. 289; receives his instructions, 300; visits Brussels, 301; supports Frederick's demand for English aid, 303; visits Maximilian at Munich, 304; tries to persuade Ferdinand to accept James's mediation, 305; is told that he is too late, 306; is treated with coolness by the Bohemians, and retires to Spa, 307; is sent to congratulate the Emperor, 324; is ordered to visit the Hague, 325; returns to England, 332; is sent to France to mediate between Louis XIII. and the Protestants, iv. 201; is sent again to France, 292; is created Earl of Carlisle, 364. See Hay, Lord; Carlisle, Earl of
- Dorchester, Viscount, 1628-1632 (Dudley Carleton), is in favour of peace with France and an active intervention in Germany, vi. 341; receives from Con-

DOW

- tarini a proposal for a peace with France, 345; delivers a message to Buckingham just before his assassination, 349; supports Contarini's negotiation, 366; becomes Secretary of State, 372; takes part in a conference on the terms on which bail is to be offered to the imprisoned members, vii. 109; his view of the judgment of the King's Bench in the case of Eliot, Holles, and Valentine, 120; death of, 194. See Carleton, Sir Dudley
- Dorset, Countess of, is entrusted with the care of Prince Charles, vii. 142
- Dorset, 1st Earl of, 1603-1608 (Thomas Sackville), Lord Treasurer, takes part in the negotiations with Spain, i. 208; accepts a Spanish pension, 215; has an interview with the judges before the hearing of the case of impositions, ii. 7; death of, 11
- Dorset, 3rd Earl of, 1609-1621 (Richard Sackville), contributes to the defence of the Palatinate, iii. 343; wishes Velverton to be heard before he is condemned, iv. 115
- Dorset, 4th Earl of, 1624 (Edward Sackville), is admitted to the Privy Council, vi. 133; recommends the King to raise money by prerogative, 138; urges the imprisonment of the Lords who refuse to pay the forced loan, 150; asks whether the Lords' additional clause will alter the Petition of Right, 282; believes the Petition of Right to be injurious to the King's government, 288; threatens Felton with the rack, 359; takes Bagge's part in the Star Chamber, viii. 90; reference by Bastwick to the duel fought by, 220; tells the vintners that they must expect to be robbed, 286; charges Hamilton with treason, ix. 7; excuses a party of lawyers who had drunk confusion to Laud, 135; explains to Charles the effect of the Bill against the Dissolution of Parliament, 373; is placed by the King in command of a guard at Westminster, and orders his men to fire on a crowd, x. 86
- Dorsetshire, resistance to sending men to Rochelle in, vi. 160; billeted soldiers turned out of doots in, 228; outrages of soldiers in, 253; murder of Lieutenant Mohun by the soldiers of, ix. 160
- Dort, Synod of, iii. 260
- Douglas, Sir Robert, is chosen as the Queen's agent at Rome, but dies suddenly, viii. 138
- Dover, defeat of a Spanish fleet off, i. 341; wretched condition of Mansfeld's troops at, v. 282; landing of Henrietta Maria at, 333; applauds Charles's proclamation, for the maintenance of the established religion, x. 109
- Downham, George (*Bishop of Derry*, 1616-1634), preaches against toleration, viii. 15
- Downs, the, Oquendo's fleet takes refuge in, 60; defeat of Oquendo's fleet in, 64

DRA

- Drake, Sir John, becomes a partner in the Vice-Admiralty of Devon, vi. 144.
- Drama, the attack of Pryne on, vi. 327.
- Drogheda, Tichborne besieged in, x. 96; raising of the siege of, 174.
- Drummond, Edward, his mission to Italy, i. 80.
- Drummond, Jane, accepts a Spanish pension, i. 215; exercises influence over the Queen, ii. 224. *See* Roxburgh, Lady.
- Drummond, William, of Hawthornden, character of, vii. 295; appeals to Charles in favour of Balmerino, 296; welcomes the King's Covenant, viii. 363.
- Du Buisson, proposes a marriage between Charles and Henrietta Maria, iii. 212.
- Dublin, James I. proclaimed in, i. 361; proceedings in the Castle Chamber against the aldermen of, 392; plot for the seizure of the Castle, x. 50; is secured by Sir Francis Willoughby, 53.
- Duck, Dr., is attacked by a mob, ix. 211.
- Dudley, Sir Robert, paper of advice by, vii. 138.
- Duelling, proclamation against, ii. 217.
- Du Fargis, M., draws up a treaty between France and Spain, vi. 87.
- Dulbier, John, is Buckingham's chief military adviser, vi. 183; complains of the ignorance and the dissension in the army at Rhé, 199; is sent to Germany to raise horse, 224; his commission inquired into by the Commons, 308; is not to bring the horse to England, 318; proposed use of, in North Germany, 332; is ordered to keep his men on foot, 346.
- Dulwich, Abbot consecrates a chapel in the college at, vii. 243.
- Dumbarton Castle is secured for the King, viii. 245; an officer sent to command, 367; is surprised by the Covenanters, ix. 2; is again captured by the Covenanters, 207.
- Dunbar, Earl of, 1605-1611 (George Hume), is sent to Scotland to insure the conviction of the Presbyterian ministers, i. 310; appears at the Assembly at Linlithgow, ii. 30; urges Balmerino to plead guilty, 33; death of, 121. *See* Hume, Sir George.
- Dunfermline, 1st Earl of, 1606-1622 (Alexander Seton), enters into a dispute with the clergy, i. 308; takes the part of the Catholics, ii. 31; persuades the Scottish Council to refuse to banish ministers who resist the Articles of Perth, vii. 274. *See* Seton, Alexander.
- Dunfermline, and Earl of, 1622 (Charles Seton), visits Charles at Berwick, ix. 47; is sent to England to plead the cause of the Scottish Parliament, 55; arrives in London, 73; is sent back to Scotland, 74; returns to London, and negotiates with Charles, 91; is placed in custody, 97.
- Dundas, Leslie takes up his post at, ix. 22; Leslie's army leaves, 29.
- Dunkirk, ships from, blockaded in the Downs, v. 245; Buckingham proposes an attack on, 325; cool reception by

EAS

- Frederick Henry of Buckingham's proposal for a joint attack on, vi. 35; Charles asks Spain to cede, vii. 214; danger to England from a French occupation of, 347; increased importance of the possession of, 348; proposal for an attack by the French and Dutch on, 366; Portland stigmatises an attack on, as a breach of international law, 373; Charles expects the French and Dutch will besiege, 382; vessels convoyed by Lindsey to, 384; Charles declares that he will vindicate his subjects' right to trade with, 388; money conveyed by an English ship from Spain to, viii. 100; expected French attack on, 156; money conveyed to, by Windebank's orders, 162; reinforcements sent to Oquendo from, ix. 67; escape of part of Oquendo's fleet to, 68.
- Dunkirk privateers, take refuge in Aberdeen and Leith, v. 79; treatment of, at Leith, 82; are attacked by the Dutch, 87; activity of, 428; are watched by Pennington, vi. 9; escape from port and destroy Dutch fishing-boats, 34; capture three of Denbigh's corn-ships, 293; a Dutch ship chased into Dover roads by, viii. 384; destroy Dutch herring-boats, and are pursued into English waters, 389.
- Dunne, John, strikes Nathaniel Dunne, viii. 78.
- Dunse, Arundel reads the King's proclamation at, ix. 23.
- Dunse Law, Leslie's camp on, ix. 30; condition of the soldiers on, 31.
- Durham, payment of the forced loan at, vi. 153; alleged ceremonial innovations at, vii. 44; action brought by Smart against the prebendaries of, 129; arrival of Charles at, ix. 13; seizure by the Scots of the lands of the Dean and Chapter of, 189; flight of Conway's troops to, 194; is occupied by the Scots, 197; the Scottish army leaves, x. 6.
- Durham, county of, trained bands offered to Charles by, ix. 190; a contribution demanded by the Scots from, 203.
- Durham House, tumult caused by the interference of the constables with Catholics going to mass at, vi. 70.
- Durie, John, tries to interest Laud in a scheme for the union of the Protestant churches, vii. 314.
- Dutch Republic, the. *See* Netherlands, the United Provinces of the.
- EAST Friesland, Mansfeld's invasion of, iv. 401; ill-treatment of the Count of, 402.
- East India Company, the, establishes factories at Acheen, Bantam, and Surat, ii. 310; sends Sir Thomas Roe to Agra, 311; is dissatisfied at its exclusion from the spice trade, 312; negotiations carried on at the Hague for its amalgamation with the Dutch Company, 313; its trade in the Spice Islands hindered by the Dutch, iii. 163; resolves to make good

EAS

its position, 167; sends out a fleet under Dale, 170; opens negotiations with the Dutch Company, 171; carries on the negotiations, 174, 179; arrangement made with the Dutch for the division of the trade, 177; appeals to the King to settle a dispute about fortifications, 178; agrees to a treaty with the Dutch, 179; accord granting an indemnity to, signed by the Dutch, iv. 407; attempts to open a trade with Persia, and joins the Shah in the capture of Ormuz, v. 237; 10,000*l.* demanded by Buckingham from, 238; is charged with piracy, 239; is obliged to pay 20,000*l.*, 240; makes over a consignment of pepper to Charles, ix. 190

East Indies, the, rivalry between the English and Dutch in, ii. 309; formation of the East India Company for trading in, 310; continuance of the struggle in, iii. 162; treaty signed with the Dutch for regulating the trade in, 179; fresh hostilities in, *ib.*; news of the treaty reaches, 181; fresh outrages committed by the Dutch in, 353; negotiation with the Dutch for the restitution of goods taken in, iv. 273; relations between the English and the Dutch in, after the accord of 1623, 407; failure of the attempt to share the trade of, between the English and the Dutch, v. 241; massacre of Amboyna in, 242. *See* East India Company

Ecclesiastical reservation, the, ii. 89

Edict of Restitution, the, issue of, vii. 93; exasperation of the Protestants at, 174; Ferdinand refuses to modify, 187; is supported by the Elector of Bavaria, 179; feeling of the Elector of Saxony about, 180; is swept away by the victory of Gustavus at Breitenfeld, 188; is abandoned by the Emperor at the Peace of Prague, 388

Edinburgh, tumult in, i. 63; dislike of the carvings in the King's chapel felt in, iii. 223; visit of James to, 224; resistance to the five articles in, 237; Black Saturday at, vii. 275; refusal to kneel at the communion in, 276; ceremonies at the King's coronation in, 285; the surplice used at St. Giles's Church in, 288; erection of a bishopric of, 291; riot caused by the reading of the new Prayer Book in, viii. 314; second riot in, 320; Charles orders the removal of the Council and the Court of Session from, 321; third riot in, 322; signature of the Covenant at the Grey Friars' Church in, 333; Hamilton hopes to gain the castle of, 342; arrival of Hamilton at, 343; treaty between Hamilton and Mar for the surrender to the King of the castle of, 345; reading of the King's Declaration at, 346; Hamilton purchases the castle of, 367; the bishops charged before the Presbytery of, 368; the Covenanters capture the castle of, ix. 2; Assembly and Parliament appointed to meet in, 41; Ruthven appointed governor of the castle of, 44;

ELB

riot at, 45; meeting of the Assembly at, 49; reinforcement of the garrison of the castle of, 92; fall of part of the wall of the castle of, 94; siege laid by the citizens to, 112; some of the inhabitants killed by the fire from the castle of, 148; surrender of the castle of, 207; arrival of Charles at, x. 5; Charles feasted in, 18; armed followers of Argyle and Hamilton in, 23; flight of Argyle, Hamilton, and Lanark from, 25

Edmondson, Sir Thomas, sent as ambassador to Paris after the murder of Henry IV., ii. 99; is sounded on the chance of a marriage between the Princess Elizabeth and the Elector Palatine, 137; ordered to propose a marriage between Prince Henry and the Princess Christina, 155; returns to England and becomes a Privy Councillor, 396; is consulted by Scarnafissi on the proposed attack on Genoa, iii. 51; Raleigh's charges against, 144; thinks that more than three subsidies cannot be granted, v. 200; asks for two subsidies and two fifteenths, 408; asks the Commons to forget and forgive, vi. 233; attempts to release the Speaker, vii. 68

Edward I., reign of, i. 1

Edward VI., reign of, i. 11

Effiat, Marquis of (Antoine de Ruze), is sent as ambassador to England, v. 253; gains over Buckingham, 254; obtains Buckingham's support in urging James to sign an article in the French marriage treaty in favour of the Catholics, 257; is shown the despatches of Carlisle and Kensington, 261; lays before James a plan for pacifying Germany, 266; receives from James permission to hire English ships to be used against Rochelle, 305; is allowed to take a number of priests on his return to France, 377; negotiates with Nicholas at Dieppe, 387; is unable to procure the surrender of Pennington's fleet, 390; receives the surrender of Pennington's fleet, 394

Egerton, Edward, Chancery suit of, iv. 60; bribe offered to Bacon by, 62

Egerton, Lady Alice, takes the part of the lady in *Comus*, vii. 335

Egerton, Sir Rowland, gives a gratuity to Bacon, iv. 65

Egerton, Sir Thomas (*Lord Keeper*, 1596), his behaviour in the Council after Elizabeth's death, i. 85; becomes Lord Chancellor, and is raised to the peerage, 107. *See* Ellesmere, Lord

Eglesham, Dr., accuses Buckingham of poisoning James, vi. 352

Eglinton, Lord, 1612 (Alexander Montgomery), is ordered to defend the South-West of Scotland, ix. 148

Ehrenbreitstein, is occupied by the French, vii. 350

Eikon Basilike, quotation from, ix. 216

Elbe, the, arrival of Morgan's troops in,

E.I.D

vi 165; commerce of, stopped by an English squadron, 187
 El Dorado, fable of, ii. 372
 Elector Palatine. *See* Frederick IV. and Frederick V.
 Electress Palatine. *See* Elizabeth
 Eliot, James, tells Charles that Puigatory is in Spain, v. 44
 Eliot, John, elected to the Parliament of 1614, ii. 231. *See* Eliot, Sir John
 Eliot, Sir John, is elected to the Parliament of 1624, v. 185; character of, 186, speaks in defence of liberty of speech, 187; proposes to fit out a fleet by means of the penalties of the Catholics, 191; calls for a war with Spain, 199, proposes that thanks shall be given to James and Charles, 226; writes to Buckingham that he is wholly devoted to him, 320; speaks on religion, 342; denounces Wentworth as Catiline, 350; contrast between Wentworth and, *ib.*; remonstrates with Buckingham on the demand for further supply, 367, is shocked at Buckingham's answer, 360; moves that the Lord Keeper be asked who authorised him to pass a pardon for a Jesuit, 397; complains of the extent of the proposed war, and of the little result apparent, 413; acquits Buckingham of blame for the delay of the fleet, 414; speech falsely attributed to, 425; watches events, vi. 60; feels compassion for the soldiers at Plymouth, 61; but does not break with the Government, *ib.*; demands inquiry into the Cadiz voyage and earlier disasters, 62; objects to a grant of supply till the inquiry is complete, 63, presides over the committee appointed to investigate the case of the 'St. Peter' of Havre de Grace, 65; attempts to discover the truth about the quarrel with France, 66; only finds out part of the truth, 67; encourages the House to persist in its inquiry into Buckingham's conduct, 79; recites the foreign miscarriages and domestic oppressions of the Government, 80; quotes precedents from the reign of Henry III. and Richard II., 81; proposes that a resolution for the grant of subsidies shall be passed, but not converted into a Bill, *ib.*; advises the Commons to draw up a remonstrance, 83; sums up the charges against Buckingham, 103; compares Buckingham to Sejanus, 105; is sent to the Tower, 109; is charged with things extrajudicial to the House, 112; is liberated, no proof that he is in league with Blainville being forthcoming, 113; is cleared by the House, 114; refuses to appear against Buckingham in the Star Chamber, 123; is dismissed from the justiceship of the peace, 125; is deprived of the Vice-Admiralty of Devon, 144; is imprisoned for refusing to pay the forced loan, 157; argues against the loan in a petition to the King, 212; declaims against arbi-

ELI

trary taxation, 233, and against a power assumed to alter religion, 234; comparison between him and Wentworth, 236; produces a copy of Anderson's reports in the handwriting of the Chief Justice, 244; objects to the grant of a supply to enable Charles to send out another expedition, 246, gives an account of the violence of the soldiers at Plymouth, 247; resists Wentworth's motion for a grant of five subsidies, 250; objects to Coke's mention of Buckingham as a mediator with the King, 252; protests against the subjection of civilians to martial law, 254, argues against Sir E. Coke's proposal to fix the dates of the payment of the subsidies, 255; wishes the Commons to reject the Lords' propositions, 264, supports the Bill of liberties, 265; asks that the King's answer to the Remonstrance may be discussed in committee, 272; moral worth of, *ib.*; attacks Wentworth for wishing to come to an understanding with the Lords, 284; moves the postponement of the consideration of the King's first answer to the Petition of Right, 297; resolves to attack Buckingham, 298, attacks the foreign policy and the military administration of the Crown without mentioning Buckingham's name, 299; asks that a Remonstrance may be framed, 301; is interrupted by the Speaker in an allusion to Buckingham, 303; refuses to continue his speech, 304; expresses satisfaction at the King's withdrawal of his prohibition to discuss the state of affairs, 308; is recommended by Williams to the King, 340; argues on Chambers's petition that the judges are responsible, vii. 37; speaks on religion, *ib.*; criticises the King's declaration on religion, 38; wishes the House to define its doctrine, 40; advises the House to attack the Arminians, 42; accuses Heath of stifling a charge against Cosin, 49; attacks Neile, 50; advises that the farmers of the customs be called to account, 59; urges the House to discuss whether the Custom House officers are delinquents or not, 61; opposes Pym's motion that the question of the legality of tonnage and poundage shall take precedence of the question of privilege, 62; opposes May's view that obedience to the King's commands is not delinquency, 63; insists upon calling the Custom House officers to account, 64; resolves to appeal to the country, 67; attempts to speak to the question of adjournment, 68; proposes resolutions, 69; offers to read his own motion, 70; proposes to impeach Weston, 72; explains his proposed resolutions, 72; declares that he shall be ready to produce evidence against Weston at the next meeting of the House, 73; burns his resolutions, 74; is sent to the Tower, 77; refuses to

ELI

answer questions on his Parliamentary conduct, 80; visits paid to him in the Tower, 81; does not join the other imprisoned members in applying for a *habeas corpus*, 90; applies for bail at the end of the term, 96, information in the King's Bench against, 111; is transferred to the Marshalsea, 115; argument of Heath against, 16; declines the jurisdiction of the Court, 119; fine imposed on, 16; is sent back to the Tower, 121; fights the battle of his countrymen, 122, rejoices at the successes of Gustavus, 190; disbelieves a rumour of a new Parliament, and writes the *Negotium Porterorum*, 191; draws up notes for a speech, 192, stricter imprisonment of, 193; writes the *Monarchy of Man*, 224, writes to Hampden on the state of his health, 225, asks leave to go out of the Tower, 226, death of, 227, is buried in the Tower, 228

Elizabeth, daughter of Henry IV., proposal to marry her to Prince Henry, i. 107

Elizabeth (*Electress Palatine and titular Queen of Bohemia*), leaves England with her husband, ii. 162; urges Frederick to accept the Crown of Bohemia, iii. 309; accompanies him to Prague, 316, hopes for success after the battle of Prague, iv. 175, gives birth to Prince Maurice at Custrin, 176; is forbidden to visit England, 182; begs her husband not to join the Dutch army, 211, her health drunk at the Middle Temple, 399, corresponds with Roe, vii. 98, refuses Charles's invitation to live in England, 208; distrusts Richelieu, 350; appeals to Charles after the Treaty of Prague, viii. 83; sends her son to England, and quarrels with Charnacé, for refusing to give the title of Electoral Highness to him, 99; is pleased at the conclusion of the Treaty of Berwick, and hopes for the assistance of a Scottish army, ix. 42

Elizabeth, Princess, (*Daughter of Charles I.*), suggested marriage of, ix. 89

Elizabeth, Princess (*Daughter of James I.*), proposed marriage between the Dauphin and, i. 107, proposed marriage between the Prince of Piedmont and, ii. 23; proposed marriage between the Elector Palatine and, 136; signature of her marriage contract with the Elector Palatine, 141; rumoured intention of Philip III. to propose for, 151; is betrothed to the Elector Palatine, 160; marriage of, 161. See Elizabeth, Electress Palatine

Elizabeth, Queen, suppresses the Roman Catholic worship, i. 12; her rivalry with Mary Stuart, 13, ill-treats the Catholics, 14; opposes the Nonconformists, 19; her weakness at the beginning of her reign, 20; suppresses Nonconformist worship, 21; supports Episcopacy, 25; dislikes preaching, 30; suppresses the prophesying, 31; rejects the proposal of the Commons for Church Reform, and

ENG

appoints Whitgift Archbishop of Canterbury, 33; difficulties bequeathed to her successor by, 42; death of, 43, impositions laid upon commerce by, ii. 1, her reception of Raleigh after his return from Guiana, 375; her treatment of the claim of the House of Commons to liberty of speech, iv. 256

Ellesmere, Lord, 1603-1616 (Thomas Egerton), (*Lord Chancellor*), gives an opinion that the King is half a priest, i. 157; puts questions to the judges on the legality of a petition in favour of the Puritans, 198, directs the judges to enforce the penal laws against the Catholics, 227; favours Bacon's promotion, 300; finds fault with the merchants who petition against the Union, 329, inveighs against Whitelocke, ii. 188; refuses to pass Somerset's pardon, 329, acts as Lord High Steward at the trials of the Earl and Countess of Somerset, 353; gives his opinion on the preparation for a Parliament, 366; asks for the opinion of the law officers in his dispute with Coke, iii. 17; agrees with Bacon's reply to Coke, 18, illness of, 19; is created Viscount Brackley, 26. See Brackley, Viscount

Elphinstone, Sir James, becomes Secretary in Scotland, i. 75, obtains surreptitiously James's signature to a letter to the Pope, 81; becomes Lord Balmerino, 308. See Balmerino, Lord

Elphinstone, Sir William, is injured in a riot at Edinburgh, ix. 45

Endicott, John, tears the cross out of the English flag, viii. 169

England, national consolidation of, i. 1; Parliamentary system established in, 2; establishment of a strong monarchy in, 3; its attitude towards the Papacy, 7; progress of the Reformation in, 9; is threatened by Spain and the Pope, 12; favour shown to the Calvinist doctrines in, 18; dislike of the Calvinist system of government in, 23, character assumed by episcopacy in, 26; rise of the Separatists in, 37; growth of a feeling against Spain in, iv. 346; recrudescence of hostility to Rome in, v. 167, moral position of Protestantism in, 168, influence of Calvinism in, 355; strong feeling against Buckingham in, vi. 188; diminution of warlike feeling in, 373; relaxation of the feeling of hostility to Spain in, 375; treaty of peace signed by Louis XIII. with, vii. 100; contrast between the political feeling of the South and North of, 229; feeling against ship-money in, viii. 85; excitement caused by the conversions to Catholicism in, 244; local organisation of, 300; unorganised condition of, ix. 78; elections to the Short Parliament in, 96; strong feeling against the Irish in, 126; the Scots not disliked in, 128; last case of judicial torture in, 141; symptoms of a reaction in favour of Charles in, x. 1

ENG

England, Church of, the course of the Reformation in, 1, 9; action of Calvinism upon, 18; enforcement of conformity in, 21; position of the bishops in, 26; Whitgift defends the constitution of, 27; low condition of the clergy of, 28; reaction in favour of, 38; Bacon's scheme for the pacification of, 146; enforcement of conformity in, 195; its relation to Puritanism, 232; prospects of toleration in, 233; difference of opinion between James and the Commons on, 11. 85; converts to Rome in, 111. 239; condition of Protestantism in, 176; Puritan conformists in, 241; school of Andrewes and Laud in, 243; discussion on the observance of the Sabbath in, 247; spread of Arminianism in, 11. 347; reaction in favour of Puritanism in, 349; view of Buckeridge, Howson, and Laud, that school opinions are not condemned by, 11. 401; and that opinions like those of Montague's opponents ought to be silenced in, and that Convocation, or a national synod, is the proper judge of controversies in, 402; issue by Charles of a proclamation for the peace of, 11. 122; parties in, 11. 7; dispute on doctrine in, 8; dispute on ceremonies in, 9; Charles's declaration prefixed to the Articles of, 21; Sibbes dissuades Goodwin from separation from, 262; conflicting tendencies of thought in, 269; results of Laud's appointment as Archbishop in, 299; restrictions placed on ordinations in, 303; attempt to diminish the influence of the laity in, 305; opinion of Laud on the Royal authority in, 306; metropolitical visitation in, 11. 107; various aspects of nonconformity in, 11. 111; result of the establishment of Laud's system in, 120; becomes narrower under Laud's guidance, 128; widespread fear of Laud's system in, 129; Windebank discusses with Panzani the terms of its reunion with Rome, 135; discipline in, 11. 79; records of an Archdeacon's court in, 80; new canons of, 143; Rudyerd's account of the state of, 224; voices raised for the overthrow of episcopacy and the prayer-book in, 237; prospect of an alteration of the ceremonies of, 262; petitions against episcopacy in, 265; order of the Lords on the public worship of, 266; division of opinion on the reforms to be introduced into, 274; Hopton moves that the Protestation shall declare those who take it to be ready to support religion as established in, 353; scheme proposed by Vane for the government of, 390; clause in the Root-and-Branch Bill providing for the government of, 407; declaration of both Houses on the reform of, 11. 186

Epéron, Duke of, seizes the English wine fleet at Bordeaux, 11. 146

Episcopacy, supported by Elizabeth, 1. 25; character assumed by it in England, 26; low position of, in Scotland, 46; abolition

ERL

of, in Scotland, 47; restoration and second abolition of, in Scotland, 50; restored in Scotland nominally by James, 77; acknowledged by the General Assembly, 11. 102; established by the Scottish Parliament, 11. 220; Leighton's attack on, 11. 145; Neile argues in support of the Divine right of, 149; Laud's defence of, 150; limitations proposed by Charles in Scotland on, 11. 363; abolished in Scotland by the Assembly of Glasgow, 373; abolition of, confirmed by the Assembly of Edinburgh, 11. 49; protest of Traquair as to the sense in which Charles assents to the abolition of, 50; Montrose's position towards, 52; Charles refuses to rescind the Acts in favour of, 11. 46; the Scottish Parliament abolishes, 54; Charles gives the Scottish Commissioners reason to think that he does not intend to consent to the abolition of, 94; Hall's argument in favour of the Divine right of, 107; voices raised in England for the overthrow of, 237; the London petition for the abolition of, 247; petitions against, 265; public opinion on, 271; speeches of Digby and Falkland against the abolition of, 277; speech of Fiennes in favour of the abolition of, 279; Parliamentary parties begin to form on the question of, 281; declaration of the Scottish Commissioners against, 296; understanding between Hampden and Falkland on the reformation of, 347; first reading of a Bill for the extinction of, 382; schemes of Williams and Usher for the modification of, 387; Rudyerd and Deing wish to reduce to the primitive standard, 388; want of enthusiasm for, 389; Brooke's discourse on, 11. 35; London petition for the abolition of, 11. 10. See Root-and-Branch Bill, the; Bishops' Exclusion Bill, the

Episcopacy by Divine Right, published by Bishop Hall, 11. 107

Episcopalian party in the Long Parliament, the, strength and weakness of, 11. 282; expect to have a majority in condemnation of the declaration of the Scottish Commissioners against episcopacy, 297; wishes to pay off the Scots, 300; is in a minority, 380; takes up a position in defence of the Prayer-book, 11. 15; is changing into a Royalist party, 32; finally becomes a Royalist party, 59; supports Vane's motion for a present supply for Ireland, 69; carries a limitation on the numbers of the Scots to be sent to Ireland, 70; carries some amendments of the Remonstrance, 71; has the temporary advantage of standing on the defensive, 104

Equivocation, a treatise on, discovered in Fresham's chamber, 1. 267

Erle, Sir Walter, moves that tonnage and poundage be granted for a year, 11. 364; applies for a *habeas corpus*, 11. 213; complains of the outrages of the soldiers

ERN

- in Dorsetshire, 253; complains of the violation of the liberties of the subjects, 268; his study searched, ix. 129; complains of the Irish army, 254; makes a fresh report on the Irish army, 255; reports that Strafford is still in command of the Irish army, 289; supports Marten's proposal to pay no money to the Scots till Strafford is executed, 301; brings fresh charges against Strafford in connection with the Irish army, 325
- Erneley, Sir Michael, reports from Berwick that the Scots are not prepared to invade England, ix. 182
- Erskine, Sir Thomas, appointed Captain of the Guard, i. 94; becomes Lord Fenton, ii. 368. *See* Fenton, Lord
- Esmond, Robert, alleged manslaughter of, by Wentworth, ix. 70
- Espey, M. de, urges the States-General to allow Mansfeld to land in the Netherlands, v. 284
- Essex, the trained bands of, are summoned to defend Harwich, but refuse to serve at their own expense, vi. 8; resistance to the forced loan in, 148; refusal of, to pay Commissioners for the loan in, 154; attempt to press the refusers in, for service under the King of Denmark, 156; misbehaviour of Irish soldiers quartered in, 219; weavers thrown out of work in, vii. 83; enforcement of the extension of Waltham Forest in, viii. 77; resistance to ship-money in, 94; arrears of ship-money in, 202; a woman murdered by the soldiers from, ix. 10; levy of soldiers resisted in, 160; communions pulled down by the soldiers in, 176; petition against episcopacy signed in, 266
- Essex, Countess of, married life of, ii. 167; thinks of procuring a divorce, 168; is divorced, 172; her part in the murder of Overbury, 175; employs Weston to poison him, 180. *See* Somerset, Countess of
- Essex, 2nd Earl of, 1576-1601 (Walter Devereux), alteration of, with Burghley, i. 103; failure of, in Ireland, 362
- Essex, 3rd Earl of, 1603 (Robert Devereux), marriage of, ii. 166; proceedings taken for the divorce of, 169; divorce of, 172; serves under Vere in the Palatinate, iii. 365; returns from Germany, and becomes a member of the Council of War, 388; is appointed Vice-Admiral of the expedition against Cadiz, vi. 11; takes refuge in Falmouth, 13; pursues the Spanish ships up Cadiz harbour, 15; takes Fort Puntal, 17; refuses to pay the forced loan, 150; asks the Lords to put the Petition of Right to a vote, 282; attends on the King at Oxford, viii. 152; appointed second in command in the first Bishops' War, 386; gives to the King the letter written to him by the Covenanters, ix. 12; votes against interference with the Commons, 109; signs a letter to Johnston of Warriston, 179; takes part in a meet-

EXC

- ing of the opponents of the Court, 198; signs the Petition of the Twelve Peers, 199; becomes a Privy Councillor, 292; reproves the Scottish Commissioners for interfering with the Church of England, 299; declares for Strafford's death, 340; is appointed Lord Chamberlain, 409; thinks the Incident may be imitated at Westminster, x. 32; proposal to give authority over the trained bands to, 59; restriction placed by the Lords on his authority over the trained bands, 73; rumoured dismissal of, from the Council and office, 98; the Commons wish to have a guard under the command of, 119; the Commons ask the King to give them a guard under the command of, 126; intention of Charles to call, as a witness against the five members, 130; accompanies Charles to the City after the attempt on the five members, 142; wishes Charles to postpone his departure from Whitehall, 149; is stopped by the House of Lords from obeying Charles's summons to attend him at York, 179; is a member of the Committee of Safety, 209; is appointed to command the Parliamentary army, 211; is declared a traitor by the King, 217; the Commons swear to live and die with, *ib.*; is suggested for the command of the Northern army, 316; tells Hyde that 'stone dead hath no fellow,' 341; is appointed Lord-Lieutenant of Yorkshire, 374; is to command forces south of the Trent, 473
- Estates of the realm, the three, new explanation of, ix. 106
- Et cetera oath, the, imposed by the canons of 1640, ix. 146; suspension of, 188
- Eure, Lieutenant, murder of, ix. 172
- Eure, Lord (William Eure), refuses to obey an order of the Court of Chancery, vii. 233; stands a siege at Malton, *ib.*
- Everard, Dr., imprisoned for preaching against the Spaniards, iv. 118; is again imprisoned, 346
- Everard, Sir John, removed from the Irish Bench, i. 391; is elected Speaker of the Irish House of Commons by the Catholics, ii. 290
- Exchequer, the. *See* Finances
- Exchequer, the Court of, Bate's case in, ii. 6; decides in Rolle's case that goods cannot be taken from the King by a replevin, vii. 6; replies to a message of the Commons on tonnage and poundage, 61; Chambers brings an action against the Custom House officers in, 86; question about the jurisdiction of the Star Chamber raised in, 114; postpones consideration of the right to tonnage and poundage, 115; declares in favour of the King's right to levy compositions for knighthood and impositions, 167; case of the feoffees for impropriations in, 258
- Excise, an, proposal made for raising money by, vi. 222; abandonment of the proposal for, 225; commissioners appointed for

EXE

- the consideration of, 227, Charles cancels the commission for the consideration of, 318; proposal made in the Committee of Eight to levy, ix. 75
- Exeter, Countess of, charges brought by Lady Roos against, iii. 191
- Exeter, Earl of, 1605-1622 (Thomas Cecil), interferes in his grandson's dealings with the Lakes, iii. 190, compliments Buckingham on his success at Rhé, vi. 190
- Exeter, Earl of, 1640 (David Cecil), signs the Petition of the Twelve Peers, ix. 199
- Ex officio* oath, the, introduction of, i. 36
- Exportation of gold, fines imposed for the, iii. 323
- Extemporary prayers, opposition roused by the use of, x. 30

- FABRONI, protests that Mary de Medicis is not preparing to visit England, viii. 379
- Fage, Captain, sent by Raleigh to Montmorency, iii. 109; is sent to fit out French ships to join Raleigh, 110; is imprisoned as a debtor, 111
- Fairfax, Viscount, 1640 (Ferdinando Fairfax), is one of the Parliamentary commissioners to attend the King at York, x. 200
- Fairfax, Sir Thomas, offers a petition to Charles on Heyworth Moor, x. 200
- Fajardo, Don Luis, is ordered to transport men to the Netherlands, i. 340
- Fakenham, Brent's report of the metropolitan visitation of, viii. 109
- Falkland, 1st Viscount, 1620-1633 (Henry Cary), is appointed Lord Deputy of Ireland, viii. 9; banishes the priests, 10, receives from England the first draft of the Graces, 13; lays the Graces before an assembly of the Irish nobility, 14; is in despair at the state of Ireland, 15; opens an Assembly of the Lords and representatives, *ib.*; fails to obtain a contribution from the Assembly, 16; summons a Parliament, and afterwards countermands the summons, 18; engages in dispute with a minority of the Council, 20; wishes to establish a plantation in Wicklow, *ib.*; his treatment of the Byrnes of Wicklow, 21; is surprised by the appointment of a committee to investigate the case of the Byrnes, 23; his position shaken, 26; is recalled, 27; death of, 26
- Falkland, 2nd Viscount, 1633 (Lucius Cary), early life of, viii. 255; his life at Great Tew, 256; appreciates Ben Jonson, 257; writes verses in praise of the King's sovereignty of the seas, 258; engages in religious controversy, *ib.*; compared with Chilworth, 259; replies to Walter Montague, 260; objects to impeaching Strafford till the whole truth has been discovered, ix. 234; speaks against ship-money, 245; attacks Finch, 246; fears that Presbyterianism will be tyrannical, 276; speaks for the reformation, and

FEL

- against the abolition, of episcopacy, 278; suggests a compromise, 287, declares that the Lords had acted justly in giving Strafford time to prepare his defence, 292, supports the Attainder Bill, 338; comes to an understanding with Hampden, that episcopacy is to be reformed, 347; opposes the Root-and-Branch Bill, 389; is a member of the Committee of Defence, x. 2, thinks that the English Parliament should take no notice of the Incident, 32, his share of responsibility in the Parliamentary conflict, 33; objects to the Bishops' Exclusion Bill, 37; objects to the employment of Scottish troops in Ireland, 55; tells Cromwell that the final debate on the Grand Remonstrance will take time, 74, complains of the hard measure dealt out to bishops and Arminians, 75; his conversation with Cromwell, 78; becomes Secretary of State, 127, signs the Protestation of the Peers at York, 205
- Falmouth, arrival of part of the Cadiz expedition at, vi. 13, Soubise brings a French prize into, 28
- Family of Love, the, x. 29
- Faringdon, murder of Lieutenant Mohun at, ix. 160
- Farmers of the Customs, proposal of Eliot to call to account, vii. 59, fine imposed on, ix. 379
- Fawkes, Guido. *See* Gunpowder Plot
- Fawley, position of the communion-table at, vii. 46
- Fears and jealousies, the Parliament's declaration of, x. 172
- Fees, custom of taking, iv. 79
- Felton, John, murders Buckingham, vi. 349, surrenders himself, 350, motives and conduct of, 352, popularity of, 353; Townley's verse on, 354, is threatened with the rack, condemned and executed 359
- Female actors attacked by Prynne, vii. 349
- Female characters on the stage represented by boys, vii. 328
- Female Glory, The*, of Anthony Stafford, viii. 127
- Fens, Great Level of the, drainage of, viii. 294; riots in, 296
- Fenton, Viscount, 1606-1619; Earl of Kellie, 1619-1639 (Thomas Erskine), assures Sarmiento that James wishes to go on with the marriage treaty, ii. 368. *See* Erskine, Sir Thomas
- Fees for impropriations, the, Heylyn preaches against, and Noy exhibits an information in the Exchequer against vii. 258; are deprived of their patronage by the sentence of the Court, 259; are ridiculed in Strode's *Flouting Island*, viii. 150
- Ferdinand, Archduke (*Duke of Styria*, 1590; *King of Bohemia*, 1617; *King of Hungary*, 1618), proposed as the future King of Bohemia, iii. 266; is accepted as King, 267; character of, *ib.*; early

FER

- life of, 268; asserts his right to the throne of Bohemia, 290; defends Vienna, 302; success of the armies of, 304; receives Doncaster civilly, 305; rejects James's offer of mediation, 300; elected Emperor, and deposed from the throne of Bohemia, 309. *See* Ferdinand II., Emperor
- Ferdinand II. (*Emperor*, 1618) visits Maximilian, iii. 318; promises to transfer Frederick's Electorate to him, 319; defends Vienna against Bethlen Gabor, 320; advocates the invasion of the Palatinate, 328; view taken of Frederick's conduct by, iv. 172; puts Frederick to the ban, 177; proposes to convoke an Assembly at Ratisbon, 192; opposition evoked by his proposal to deprive Frederick of the Electorate, 193; suspects Frederick's sincerity, 204; hesitates to reject Digby's terms, 205; offers to treat, 206; orders Maximilian to attack Mansfeld, 208; consents to a suspension of arms, 209; agrees to Digby's plan for a pacification, 216; recommends the plan to Maximilian, 217; secretly confers Frederick's Electorate on Maximilian, 219; discovery of his transference of the Electorate, 300; sends Schwarzenberg to England, 304; informs James of his intention to hold an Assembly at Ratisbon, 326; throws the blame of the continuance of the war on Frederick and Mansfeld, 339; orders Tilly to besiege Heidelberg, 340; refuses to abandon his resolution to transfer the Electorate, 377; expels the Lutheran clergy from Bohemia, 400; proposes the transference of the Electorate at Ratisbon, 404; confers the Electorate on Maximilian, 405; disputes the succession of the Duke of Nevers to the Duchy of Mantua, vi. 331; issues the Edict of Restitution, vii. 98; makes peace with Christian IV. at Lübeck, 101; dismisses Wallenstein, 174; refuses to take the advice of Olivares, 180; maintains the Edict of Restitution, 181; neglects the advice of Spain, 187; failure of the system of, 188; effects of his renewed alliance with Spain, 353; signs the Peace of Prague, 388; gives hopes to Taylor of the restitution of the Palatinate, viii. 101; rejects Arundel's demands, 160. *See* Ferdinand, Archduke (*Duke of Styria*, &c.)
- Ferdinand, the Archduke (*Son of Ferdinand II.*), marriage proposed between the Infanta Maria and, iii. 377. *See* Ferdinand III.
- Ferdinand III. (*King of Hungary*), is appointed to the command of the Emperor's armies, vii. 353; in conjunction with the Cardinal Infant takes Ratisbon and defeats the Swedes at Nordlingen, 372; is chosen King of the Romans, viii. 204
- Ferdinand. *See* Cardinal Infant, the
- Feria, Dukes of, occupies Southern Alsace, vii. 348

FIN

- Fermanagh, feud amongst the Maguires of, i. 381; Chichester's visit to, 401; refusal of the settlers to maintain soldiers in, viii. 15; Lord Maguire's influence in, x. 49; atrocities of the Maguires in, 65
- Fern, Sir John, seconds Raleigh's proposal to attack the Mexico fleet, iii. 128
- Ferrar, Nicholas, early life of, vii. 262; establishes a community at Little Gidding, 263; character of the spiritual life of, 264; his language about the use of crucifixes, 265
- Ferrett, misbehaviour of, as an agent of the Commissioners for Inns, iv. 41
- Ferté Imbault, la, Marquis of, arrives in England, ix. 406; advises the Queen not to leave England, 10; predicts a conflict between Charles and the Commons, x. 90; probably sends warning to the Commons of Charles's approach, 137
- Feudal tenures, negotiation for the commutation of. *See* Contract, the Great
- Field, Theophilus (*Bishop of Llandaff*, 1619-1627; of *St. David's*, 1627-1635, of *Hereford*, 1635-1636), bribe offered by Edward Egerton to, iv. 64; is handed over by the Lords to the censure of the Archbishop, 125
- Fielding, Captain, offers licences to the Dutch fishing-boats, vii. 220
- Fielding, Sir William, created Baron, and subsequently Viscount Fielding, iv. 270. *See* Fielding, Viscount; Denbigh, Earl of
- Fielding, Viscount (Basil Fielding), offers to change clothes with Buckingham, vi. 201; is sent to direct his father to return to Rochelle, 292; challenges George Goring, vii. 218
- Fielding, Viscount, 1620 (William Fielding), becomes Master of the Wardrobe, iv. 276; is created an Earl. *See* Fielding, Sir William; Denbigh, Earl of
- Fiennes, Nathaniel, speaks in favour of the abolition of episcopacy, ix. 279; is a member of the Committee on Church Affairs, 287; is a member of the Committee for investigating the Army Plot, 358; brings up a report from the Committee, 384; tells Hyde that many will give their lives rather than submit to the bishops again, 389; is appointed a Parliamentary Commissioner to attend the King in Scotland, x. 4; reports that the officers at Whitehall had been commanded to obey Sir W. Fleming, 137; is a member of the Committee of Safety, 209
- Finances, the, state of, in 1604, i. 186; in 1606, 294; burden laid upon, by the Irish troubles, ii. 1; Salisbury's efforts to remedy the disorder of, 11; Salisbury gives account to Parliament of the condition of, 64; Caesar's report on, 199; state of, at the meeting of the Parliament of 1614, 227; state of, after the dissolution, 260; state of, in 1615, 364; state

FIN

- of, in 1617, iii. 196; improvement effected by Cranfield in, 200; state of, at the opening of Charles's first Parliament, v. 336; condition of, after Buckingham's return from Rhé, vi. 219; improved state of, in 1635, viii. 11; state of, in 1636, 199; state of, in 1638, 281; state of, in 1639, ix. 24; commission appointed to improve the condition of, x. 99
- Finch, John, speaks in Bacon's favour, iv. 65; reminds the Commons that they have no sworn evidence against Floyd, 120. *See* Finch, Sir John, Finch, of Fordwich, Lord
- Finch, of Fordwich, Lord, 1640, speaks at the opening of the Short Parliament, ix. 98; the Lords adjourn on account of the ill-health of, 101; explains to the Houses that Charles is ready to commute ship-money for some other mode of payment, 107; assures the King of the legality of the continuance of Convocation after the dissolution of Parliament, 142; is attacked by Falkland and defends himself, 246; the Commons vote the impeachment of, 247; flight of, *ib.*; formal impeachment of, 203. *See* Finch, John; Finch, Sir John
- Finch, Henry, Serjeant, is a referee for the patent for inns, iv. 3
- Finch, Sir Heneage, becomes Recorder of London, iv. 23; carries up to the Lords the charges against the referees, 48
- Finch, Sir John, (*Chief Justice of the Common Pleas*, 1634-1640; *Lord Keeper*, 1640), as Speaker of the Parliament of 1628, interrupts Eliot, vi. 303; obtains leave to go to the King, 304; declares the King's pleasure that the House be adjourned, vii. 67; is held down in the Speaker's chair, 68; refuses to put Eliot's motion to the House, 69; pleads to be allowed to go to the King, 70; double allegiance of, 71; becomes Chief Justice of the Common Pleas, 362; maintains the King's claims in the Forest of Dean, 363; threatens the jury in the question of the extension of Waltham Forest, 365; sits as Holland's assessor in enforcing the extension of Waltham Forest, viii. 77; is appointed to ask the opinion of the judges on the legality of ship-money, viii. 94; behaves rudely to Prynne in the Star Chamber, 228; gives judgment in the case of ship-money, 279; alarm caused by the doctrine laid down by, 280; becomes Lord Keeper, ix. 85; is created Lord Finch of Fordwich, 98. *See* Finch, John; Finch of Fordwich, Lord
- Finsbury Fields, review of the London trained bands in, x. 195
- Fisher (pseudonym for Percy), attempts to convert the Countess of Buckingham, iv. 279; holds a conference with Laud, 281
- Fisher, Sir Edward, claims lands in Wexford, viii. 4

FOL

- Fishery. *See* Herring fishery and Whale fishery
- Fitzwilliam, Sir William, conduct of, as Lord Deputy of Ireland, i. 361
- Five Articles, the. *See* Articles of Perth, the five
- Five Discourses*, Shaftesbury's, viii. 123
- Five knights' case, the, vi. 213
- Five members, the, Charles resolves to impeach, x. 129; impeachment of, 130; Charles demands the arrest of, 132; Charles resolves personally to arrest, 133; warnings sent to, 137; escape to the City, 138; are proclaimed traitors, 147; are received by the Committee at Grocers' Hall, 149; return in triumph to Westminster, 150
- Flag, the English, a salute claimed by Charles for, vii. 383; the Dutch agree to salute, 385; Charles rejects a compromise proposed by Richelieu on the salute to be given to, 386
- Flagellum Pontificis*, written by Bastwick, viii. 227
- Flanders, ports of, blockade of, i. 218; wish of James to break the blockade of, iv. 225; ships hired by Gondomar to break the blockade of, 272; failure of the undertaking against, 273; Buckingham proposes a combined attack on, v. 325; refusal of Louis to take part in an attack on, 331; Morton sent to urge the Dutch to join in an attack on, 335; engagement of the Dutch to blockade, vi. 6. *See* Dunkirk
- Flax, cultivation of, introduced into Ireland by Wentworth, viii. 39
- Fleetwood, Sir Miles, wishes inquiries about the proposed supply to be addressed to the Lords, iv. 235
- Fleming, Sir Thomas, (*Chief Baron of the Exchequer*, 1604-1607; *Chief Justice of the King's Bench*, 1607-1613), is a member of the first Parliament of James I., i. 163; delivers judgment in the case of impositions, ii. 6; joins Coke in resisting the King's claim to create offences by proclamation, 105; death of, 207
- Fleming, Sir William, invites the Inns of Court to support the King, x. 134; the officers at Whitehall commanded to obey, 137
- Flemish ports. *See* Flanders, ports of
- Fleurus, battle of, iv. 342
- Floating Island, The*, written by William Strode, viii. 150
- Flood, — (?), sells copies of Dudley's paper of advice, vii. 139
- Floyd, Edward, speaks disparagingly of the Elector and Electress Palatine, iv. 119; violent attack of the Commons on, 120; is sentenced by the Commons, 121; is sentenced by the Lords, 123; liberation of, 137
- Flushing, miserable condition of Mansfeld's troops at, v. 288
- Foliot, Sir Henry, orders a massacre, in Tory Island, i. 430

FOL

- Foljambe, Sir Francis. seizes tithe-corn forcibly, viii. 78
- Fontainebleau. arrival of the Huguenot deputies at, v. 392. a treaty agreed to at, 393
- Fontenay-Mareuil. Marquis of, is French ambassador in England, and employs a housebreaker to steal the papers of De Jais, vii. 186; refusal of Henrietta Maria to be reconciled to, 199
- Forbes, John. is chosen Moderator of the Assembly, i. 307; is imprisoned, 309; is tried, 311; defence of, 312; conviction of, 314. banishment of, 315; is preacher at Delft, vii. 315; resigns his post, *ib.*
- Forbes, Patrick (*Bishop of Aberdeen*, 1616), character and life of, iii. 230; hesitates to accept a bishopric. *ib.*; becomes Bishop of Aberdeen, 232; supports the Articles of Perth, 238; the Aberdeen doctors are the disciples of, viii. 358
- Forbes, William (*Bishop of Edinburgh*, 1634), is appointed the first Bishop of Edinburgh, vii. 291; death of, 292
- Forced loan, the, demanded by Charles, probably at the suggestion of Apsley, vi. 143; collection of, in Middlesex, 144; beginning of resistance to, 148; refusal of the judges to declare the legality of, 149; mission of Privy Councillors to collect, 153; growing resistance to, 155; failure of an attempt to press the refusers in Essex for the service of the King of Denmark, 157; gentlemen placed in confinement for refusing, 178; Eliot's argument against, 212; amount produced by, 219; release of the prisoners confined for refusal to pay, 225; clause of the Petition of Right in condemnation of, 275
- Foreign congregations in England, the, viii. 120
- Forest claims of the Crown, in the Forest of Dean, vii. 363; in the Forest of Waltham, viii. 77; in the New Forest, 86. compositions taken for encroachments on, *ib.*; in Rockingham Forest, 282; commissioners appointed for levying compositions for, 282. Selden brings in a Bill for limiting, ix. 383; Royal assent given to the Bill limiting, 415
- Forgery of speeches in Parliament, x. 135
- For God and the King*, published by Burton, viii. 226
- Forman, Dr., is consulted by Lady Essex, ii. 168
- Fort Louis, Louis XIII. engages to pull down, v. 304; the Rochelless deputies refuse to make peace without the demolition of, vi. 50; but ultimately accept a vague promise for the future demolition of, 51; serves to check the commerce of Rochelle, 131
- Fortescue, Sir John, deprived of the Chancellorship of the Exchequer, i. 95; is elected for Buckinghamshire, 167; his seat vacated, 169
- Forth, the Firth of, Pennington sent to, ix. 1; Hamilton sent to, 9

FRA

- Forthar, burning of the Earl of Airlie's house at, ix. 167
- Foulis, Sir David, gives Dudley's paper of advice to Somerset, vii. 139; deposes to the manner in which it came into his hands, 140; attacks Wentworth, 231; declares that the Council of the North has no Parliamentary authority, 232; offers to serve the King, 236, is punished by the Star Chamber, 237
- France, treaty signed at Hampton Court with, for the defence of the Netherlands, and proposal for a double marriage to cement an alliance with, i. 107; commercial treaty with, 217; difficulty of interpreting the treaty of Hampton Court with, *ib.*; treaty between the Dutch and, ii. 26; attempt of Spain to form an alliance with, 27; treaty for mutual defence with, 101; proposed marriage alliance with, 154, 223; objection taken to a company with the right of exclusive trading with, 237; plan for a marriage alliance with, coolly received in, 314; meeting of the States-General in, 315; James resolves to break off the marriage treaty with, 390; Lord Hay's mission to, 391; end of the marriage treaty with, 396; favour shown to the cause of the Duke of Savoy in, iii. 49; condition of the Protestants in, iv. 290. civil war in, *ib.*; Doncaster's mission to, 291; Mansfeld is prevented from entering, 341; probable change in the foreign policy of, v. 175; threatening position of Spain on the frontiers of, 215; relative importance attributed to the Palatinate and the Valtelline in, 220; enters into a treaty with the Dutch, and prepares for war, 253; forms a league for the recovery of the Valtelline, 265; position of the Huguenots in, 303; beginning of a civil war in, 304; reported peace in, 386; negotiations carried on at Fontainebleau between the Huguenot deputies and the King of, 392; resolution formed in, to make peace with the Huguenots and to attack Spain, 393; rupture of the negotiations between the King and the Huguenots in, vi. 2; question raised as to the liability to seizure of ships of, 40. reprisals on English vessels in, 42. efforts of Holland and Carleton to mediate between the King and the Huguenots in, 50; reprisals for the sale of prize goods taken from, 66; friendly disposition towards England of the Government of, 87; doubts of the English alliance felt in, 89; treaty of Barcelona accepted by, 90; end of the alliance of England with, *ib.*; excitement in, at the capture of French ships, 142; Buckingham hopes for a new alliance with, 145; stoppage of English ships in, 146; seizure of the English wine fleet in, 147; resolution of Richelieu to increase the maritime power of, 150; causes of the rupture with, 153; begin-

FRA

ning of the war with, 160; agreement by Spain for a common action against England with, 164; prospect of peace with, 333; the resistance of Rochelle regarded as a misfortune by the Protestants of, 343; tolerant policy of Richelieu in, 369; acceptance by the Council of a treaty with, 373; takes part in the quarrel for the succession of Mantua and Montferrat, vii. 99; treaty of peace signed at Susa between England and, 100; Rohan's rebellion in, 101; the Day of Dupes in, 184; takes a more prominent part after the death of Gustavus, 209; growing dependence of the German princes on, 342; seizes Lorraine and occupies posts in Alsace, 347; alliance of the Elector of Treves with, 350; engages to make an annual payment to the States-General, 366; Bernhard's army taken into the pay of, 374; agrees with the Dutch for a partition of the Spanish Netherlands, 380; declares war against Spain, and invades the Spanish Netherlands, 384; Charles rejects the offer of an alliance with, viii. 83; negotiations of Leicester in, 161; Spanish invasion of, 16; repels the Spanish invasion, 163; Charles accepts Richelieu's terms for an alliance with, 210; reference to a conference at Hamburg of Charles's treaty with, 217; victories of the navy of, 381; intention of the Scots to make overtures for the renewal of the alliance with, ix. 91; attempt of Charles to obtain a loan from, 157; movement of troops on the coast of, 356; Cottington asks for a loan from, ix. 157

Franceschi, Colonel, forms a plot against James, i. 345; incites Newce to murder James, 346; is allowed to leave England, 347

Francisco de Jesus. *See* Jesus, Francisco de

Frankenthal, is besieged by Cordova, iv. 222; Mansfeld raises the siege of, 224; proposed sequestration of, 337; the English garrison hindered from abandoning, 362; besieged by Tilly, 386; James proposes that Frankenthal be sequestered, 399; negotiation between James and Frederick on the sequestration of, 406; signature of a treaty for the sequestration of, v. 74; is surrendered to Verdugo, *ib.*; its restoration demanded by James, 274

Franklin, James, provides poison for Overbury, ii. 181; charges Lady Somerset with complicity in Overbury's murder, 343; trial and execution of, 344

Frederick IV. (*Electeur Palatine*, 1583-1610), conduct of, as head of the Union, ii. 92; death of, 136

Frederick V. (*Electeur Palatine*, 1610-1632), proposed marriage of, with the Princess Elizabeth, ii. 136; is accepted, 140; arrives in England, 152; betrothal of, 160; marriage of, 161; leaves England, 162; character of, iii. 274; designs of, 276;

FRE

intrigues with the Duke of Savoy, 277; sends Christopher Dohna to England, 285; sends Mansfeld to treat with the Duke of Savoy, 291; his reception of Doncaster, 302; asks for English aid, 303; opens negotiations with the Elector of Saxony, 308; is chosen King of Bohemia, 309; accepts the crown, 311; sends Christopher Dohna again to England, 16; leaves Heidelberg for Bohemia, 315; finds no support in the Assembly of the Union at Nuremberg, 316; is defeated in the battle of Prague, 383; maintains his claim to Bohemia, iv. 175; leaves Silesia, 176; is put to the ban, 177; gives contradictory promises to James and Mansfeld, 178; appears before the Assembly of Segeberg, 179; sets out for the Hague, 180; refuses to go to the Palatinate without an army, 181; arrives at the Hague, 183; persists in opposition to the Emperor after the dissolution of the Union, 192; demands a general amnesty, 193; appoints Mansfeld to command his troops in Bohemia, 197; publication of his secret papers, 204; refuses to abandon Bohemia, 210; joins the camp of the Prince of Orange, 211; refuses to make submission to the Emperor, 212; Spanish proposal for his abdication, and the education of his son at the Emperor's Court, 220; returns to the Hague, and promises Sir Edward Villiers that he will submit to the Emperor, 221; is required by James to renounce the crown of Bohemia, 290; promises to accept these terms, 300; want of enthusiasm for, 307; joins Mansfeld's army, 308; hesitates to consent to a truce, 312; refuses to agree to a truce and seizes the Landgrave of Darmstadt, 313; alienates the German princes by his behaviour at Darmstadt, 315; is ready to agree to an armistice, 316; accompanies Mansfeld to Alsace, 319; complains of the state of Mansfeld's army, 323; leaves the army for Sedan, 324; hopelessness of the cause of, 327; proposed abdication of, 329; proposal to neutralise Heidelberg as a residence for, 337; arrives at the Hague, 402; appeals to the Elector of Saxony for aid, 403; is deprived by the Emperor of his Electorate, 405; is asked by James to agree to the sequestration of Frankenthal, 406; objects to the sequestration, 407; refuses his signature to a treaty binding him not to disturb the peace of the Empire, v. 75; impracticability of his military designs, 76; fails to obtain the support of the two Protestant Electors, or of the States of Lower Saxony, 77; accepts a treaty for a suspension of arms, 78; declares that he will be ready to listen to overtures for his son's marriage after his own restoration, 137; proposal of Olivares to educate at Vienna the two sons of, 139; refuses to accept the Spanish terms, 157; urges James to

FRE

- support him in war, 158; negotiation between Charles and Philip on the claims of, vii. 172; mocks at Charles's hope of recovering the Palatinate with Spanish aid, 176; receives permission from Charles to join Gustavus, 194; hopes of restoration given by Gustavus to, 206; is proposed by Charles as the military and political successor of Gustavus, 207; death of, 26.
- Frederick Henry, Count, succours Mansfeld's troops at Gertruidenberg, v. 289; succeeds his brother as Prince of Orange, 324. *See* Frederick Henry, Prince of Orange
- Frederick Henry (*Prince of Orange*, 1625), receives with coldness Buckingham's proposal for a combined attack on Dunkirk, vi. 35; sends a message to Carleton to order Alleyn to leave the Texel, 188; is informed by Charles of his wish to make peace with Spain, 333; assumes the offensive against Spain, 374; disproves of Charles's wish to make peace with Spain, vii. 101; besieges Hertogenbosch, 103; takes Hertogenbosch and Wesel, and refuses to come to an understanding with Charles for the recovery of the Palatinate, 170; takes Venloo and Roermonde and besieges Maestricht, 209; takes Maestricht and urges the Belgian provinces to declare their independence, 211; captures Rhinberg, 346; proposes to Richelieu a joint attack on Dunkirk, 366; joins the French in an attack on the Spanish Netherlands, 384; grants toleration to the Arminians, viii. 165; receives Mary de Medicis with respect, 379; aid expected by Charles from, ix. 244; is expected by Charles to send material assistance, 257; Charles applies for aid to, x. 149; advises Charles to keep clear of war, 163; Henrietta Maria proposes to marry the Prince of Wales to the daughter of, 177; proposes to offer the mediation of the States between the King and the Parliament, 187; withdraws his countenance from the Queen, 203
- Freedom of trade, Bill for, i. 188
- Free gift, a, demanded by Charles, vi. 125; resistance to the payment of, 131
- French actors, visit London, vi. 329
- Fresh Suit against Human Ceremonies*, *The*, is written by Dr. Ames, vii. 315
- Frias, Duke of. *See* Constable of Castile
- Fryer, Sir Thomas, is present at Buckingham's murder, vi. 349
- Fuentes, Marquis of, refuses to acknowledge Charles's fishing licences, viii. 219
- Fuller, Nicholas, is a member of the first Parliament of James I., i. 165; speaks depreciatingly of the Scots, 329; speaks against the naturalisation of the Scots, 331; defends Ladd and Maunsell, ii. 36; attacks the High Commission, 37; is imprisoned, 38; submits and is released,

GEN

- 40; is elected to the Parliament of 1614, 239
- Fundamental laws, the, alleged violation of, viii. 84
- GAGE, Colonel, proposes to induce the Cardinal Infant to lend Spanish troops, to Charles, viii. 386
- Gage, George, arrives at Rome to obtain the Pope's approval of the marriage treaty, iv. 330; brings back the Pope's terms, 350; his instructions from a congregation of cardinals, 351; is sent back to Rome, 372; visits Madrid and afterwards returns to Rome, 398; returns to England, and is present at a banquet after the oath taken by James to the Spanish marriage treaty, v. 69
- Gainsborough, emigration of a Separatist congregation from, iv. 146; probable connection between Clifton's congregation and that at, 149
- Galway, Wentworth's treatment of the jury of, viii. 62; petition of the inhabitants of, 64
- Garnester, The*, Charles suggests the plot of Shirley's play of, vii. 331
- Gardiner, Sir Thomas (*Recorder of the City of London*), is intended to be the Speaker of the Long Parliament, but fails to obtain a seat, ix. 220; speaks angrily of a clause in a petition declaring that the Common Council desired the exclusion of the Bishops from the House of Lords, x. 104; is impeached, 217
- Garnet, Henry (*Provincial of the Jesuits in England*), receives breves from the Pope, i. 98; gives Winter an introduction to the King of Spain, 99; Gerard's friendship with, 114; is acquainted with the Gunpowder Plot, 243; is taken, 271; is examined, 272; his narrative of his connection with the plot, 273; his trial, 277; his doctrine of equivocation, 280; his execution, 282; fable of his straw, 26. *See* Gunpowder Plot
- Garway, Henry (*Lord Mayor*), is threatened by the King, ix. 130; attempts to distract for ship-money, 153
- Caston (*Duke of Orleans*), takes part in the Day of Dupes, and escapes to Lorraine, vii. 184; asks Charles to join Spain and Lorraine against Richelieu, and to lend him English ships, 185; prepares to invade France, 198; fails to support Montmorency, 213
- Gates, Sir Thomas, is Lieutenant-Governor of Virginia, ii. 59; arrives in Virginia, 61; becomes Governor, 62
- Gateshead, is left unfortified, ix. 192
- Gazettes, forbidden to print foreign news, vii. 206
- Geere, Alderman, imprisonment of, ix. 130; liberation of, 135; is a favourite candidate for the mayoralty, 211
- General Assembly. *See* Assembly.
- General pardon, offered by the King, and set aside by the Commons, x. 1

GEN

- General Supplication. *See* Supplication, the General
- Genoa, Raleigh proposes an attack on, iii. 50; proposed attack on, by the Duke of Savoy, v. 265; request of the Duke of Savoy to James for men and money to be used against, 301; Lesdiguières proposes an attack upon, 302; French troops co-operate with the Duke of Savoy in an attack on, 327; Lesdiguières commands the French troops employed against, 391; Charles attempts to obtain a loan from, ix. 157
- George William, Elector of Brandenburg, offers to Gustavus the leadership of the North German princes, v. 296
- Gerard, Father John, informs Cecil of Watson's plot, i. 114. *See* Gunpowder Plot
- Gerbier, Balthasar, accompanies Buckingham to Paris, vi. 161; is sent to Brussels to propose a suspension of arms, *ib.*; returns to England to propose a separate peace with Spain, 162; is directed to inform Rubens that England will not treat with Spain apart from the States-General, 163; his negotiation with Rubens comes to nothing, 185; continues to correspond with Rubens, 331; is sent as resident minister to Brussels, vii. 185; application of the discontented nobles to, 220; receives instructions with regard to the proposed revolution in the Netherlands, 345; betrays Charles, 346; is employed to persuade the Cardinal Infant to acknowledge Charles's fishing licences, viii. 219; carries on a secret negotiation with the Princess of Pfalzburg, 377
- Germany, results of the Reformation in, ii. 88; the ecclesiastical reservation in, 89; Catholic reaction in, 90; danger of the dissolution of the Empire in, 91; opposition of the Union and the League in, 92; danger arising from the disputed succession of Cleves and Juliers in, 93; Lutheran party in, 273; Calvinist party in, 274; effect of the Bohemian revolution on, iii. 272; James's attempts to mediate in, 280; Doncaster's mission to, 300; mission of Wotton to, 361; mission of Conway and Weston to, *ib.*; effect of the battle of Prague upon, iv. 172; contrast between France and, 293; want of enthusiasm for Frederick in, 307; plan adopted by the Spanish Council of State for the settlement of, 329; English commissioners appointed to treat for peace in, v. 74; James signs a treaty for a suspension of arms in Germany, 75; course of the Thirty Years' War in, 166; unwillingness of the House of Commons to engage in war in, 194; the ecclesiastical territories in the north of, 291; position of Christian IV. in, vi. 138; defeat of Mansfeld and Christian IV. in, 139; end of English military intervention in, 291; Pembroke and Dorchester wish Charles to intervene in, 366; decline of English

GLU

- sympathy with the Protestants of, 374; progress of Wallenstein in, vii. 97; issue of the Edict of Restitution in, 98; peace of Lubeck in, 101; dismissal of Wallenstein and landing of Gustavus in, 174; Richelieu's diplomacy in, 179; defeat of Tilly by Gustavus at Breitenfeld in, 188; consequences of the battle of Breitenfeld in, 189; fresh successes of Gustavus in, 197; struggle between Gustavus and Wallenstein in, 205; death of Gustavus in, 207; growing influence of France in, 209; Charles offers to join France in the war in, 216; further growth of French influence in, 342; increasing strength of the House of Austria in, 353; results of the Imperialist victory at Nördlingen in, 372; the signature of the Treaty of Prague in, 388; Taylor's description of the miserable condition of, viii. 100; Arundel's mission to, 158; Roe's report of the condition of, ix. 56
- Gettruidenberg, miserable condition of Mansfeld's troops at, v. 289
- Gibbons, —(?), alleged malpractices of, vii. 362; is fined at Holland's justice-seat at Gloucester, 364
- Gifford, Dr., brings a message from the Pope, i. 140
- Giles, Sir Edward, wishes Floyd to be pillaged, iv. 120; complains that a pardon has been granted to a Jesuit, v. 397
- Gill, Alexander, is prosecuted in the Star Chamber for proposing Felton's health, vi. 355
- Giron, Don Fernando, quarrels with Buckingham, v. 34
- Gladstones, George (*Archbishop of St Andrews*, 1605-1615), appointed Archbishop of St. Andrews, i. 305
- Glanville, John, produces precedents in Wentworth's election case, v. 351; draws up the protestation adopted by Charles's first Parliament, 431; is sent to sea as secretary to the Cadiz expedition, vi. 13; charges Buckingham with exacting money from the East India Company and lending ships against Rochelle, 100; argues before the Lords against the additional clause proposed in the Petition of Right, vii. 286; declares against the ship-money judgment, ix. 174
- Glanville, Richard, case in Chancery of, iii. 11
- Glasgow, meeting of the Assembly at, viii. 368
- Glass, the monopoly of, considered by the Commons, 1624, ii. 237; patents in support of the manufacture of, iv. 8
- Gloucester, alteration of the position of the communion-table at, iii. 246; Holland's justice-seat at, vii. 362; Workman's sermons at, viii. 112
- Gloucestershire, resistance to the forced loan in, vi. 155
- Glückstadt, flight of Christian IV. from, vi. 186; is defended by the Danes, 290; Morgan is sent to aid in the defence of,

GLY

- 366; Morgan ordered to remain at, 372, danger of, vii. 97
- Glyn, John, reports that the recusancy laws have not been put in force against priests and Jesuits, ix. 243; argues in support of Vane's evidence, 323; offers fresh evidence, 327; replies to Strafford's general defence, 332
- Goad, Dr., criticises the *Histriomastix*, vii. 328
- Goffe, Stephen, uses the Prayer-book as chaplain of Lord Vere's regiment, vii. 316
- Gold, fines imposed for the exportation of, iii. 323
- Gold and silver thread, patents for the manufacture of, iv. 11; inquiry by the Commons into the monopoly of, 47
- Gondomar, Count of, tries to throw obstacles in the way of the expedition against the pirates, iii. 70; favour shown by James to, 105; asks for justice on Kaleigh, 131; leaves England, 135, attack by a mob on one of the servants of, *ib.*; makes a report on English affairs, 283; comments on Buckingham's letter, 284; prepares to return to England, 322; lands at Dover, 335; his first audience, 336; replies to Digby's remonstrance, 337; answers James's question about the Spanish designs on the Palatinate, 338; proposes the resumption of the marriage treaty, 345; complains of James's proceedings, 346; his opinion of the Prince, 347; advises Philip to go on with the marriage treaty, 348; pleads for Lake, 349; listens to Buckingham's plan for the partition of the Netherlands, 359; induces James to believe that Spinola will not attack the Palatinate, 363; announces that the Palatinate must be conquered, 366; asserts that he had never engaged that the Palatinate should not be attacked, 372; tries to stop the expedition against Algiers, 375; complains of Naunton, *ib.*; obtains from James an acknowledgment that he had not deluded him about the Palatinate, 376; is ordered to amuse James about the marriage treaty, 377; is alarmed by threats of assassination, 385; advises James to submit to the Pope, iv. 27; is allowed to export ordnance, 33; complains of Ward's caricature, 118; is insulted in the streets, *ib.*; complains to the Lord Mayor, 119; accompanies Buckingham in a litter, 226; is assured by James that he need not fear Parliament, 230; writes to James to complain of the insolence of the House of Commons, 248; receives Buckingham's congratulations on the dissolution of Parliament, 265; expresses his satisfaction at the dissolution, and urges James to punish the leaders of the Commons, 266; policy of, contrasted with that of Digby, 270; hires ships to break the blockade of the Flemish ports, 272; asks

GOR

- for the recall of the Earl of Oxford, 275
- returns to Spain, 335, persuades Prince Charles to promise to visit Madrid, 369; is appointed a commissioner on the marriage treaty, and assures James that all difficulties will be removed, 373; uses his influence in the junta on the marriage treaty against the acceptance of the Pope's terms, 383; mediates between Bristol and the junta on the marriage, 395; proposes a middle course between the English demands and those of the Spanish Council of State, 396; informs Olivares of the Prince's arrival at Madrid, v. 10; is created a Councillor of State, 18; advises the Spanish Government to show confidence in Charles, 60; quells a tumult caused by an assault on a priest by Sir E. Veiney, 103; desires that Frederick's son may be brought up as a Catholic, 105; opposes the scheme of Olivares for the settlement of the Palatinate, 106, resolution taken for his return to England, 269; passes through Paris on his way to Brussels, 381
- Good behaviour, refusal of the imprisoned members to give security for, vii. 110
- Goodman, Godfrey (*Bishop of Gloucester*, 1624), is secretly a Roman Catholic, viii. 140; is imprisoned for his conduct in the Convocation of 1640, ix. 147; Falkland's allusion to, 278
- Goodman, John, is convicted as a priest, ix. 264; his execution demanded by the Commons, 265; is left by Charles to the judgment of Parliament, and remains unmolested in prison, 272
- Goodwin, John, is dissuaded by Sibbes from separating from the Church of England, vii. 262
- Goodwin, Sir Francis, is elected by Buckinghamshire, i. 167; his election questioned, 168; vacates his seat, 170
- Gordon, Lord (George Gordon) accompanies Huntly to Edinburgh, ix. 5
- Gordon, Sir Lewis, imprisonment of, ix. 94
- Gorges, Sir Ferdinando, favours the colonisation of New England, ii. 51; hangs back from employment against Rochelle, v. 378; refuses to give up his ship to be used against Rochelle, 394; is appointed to the Governorship of Massachusetts, under the Crown, viii. 168
- Goring, George, is challenged by Lord Fielding, vii. 218; quarrels with Netherlands, 344; is proposed as Lieutenant-General of the Northern Army, to bring it to the support of the King, ix. 313; is Governor of Portsmouth, and offers to hold it for the Queen, *ib.*; asks that the army may be brought up and the Tower secured, 316; refusal of Percy and the officers to serve under, *ib.*; betrays the Army Plot to the Parliamentary leaders, 317; tells Chudleigh that the Queen means to take refuge at Ports-

GOR

- mouth, 324, is expected to shelter Charles and Henrietta Maria, 313. Charles hears of the treason of, 364, his oath of secrecy mentioned in the House, 385; is cleared by a vote of the Commons, 486; denies a rumour that fresh fortifications had been raised at Portsmouth, x. 73; holds Portsmouth for the King, 216
- Goring, Lord, 1628 (George Goring), complains of Nethersole to the Council, vii. 344; reads Catholic books, viii. 40. *See* Goring, Sir George
- Goring, Sir George, is to go to France to clear up difficulties, vi. 142; his mission countermanded, 146, informs Buckingham that it is impossible to borrow money, 193. *See* Goring, Lord
- Gormanston, Lord, 1599-1637 (Jenico Preston), objects to the meeting of an Irish Parliament, viii. 28
- Gosnold, Bartholomew, visits New England, ii. 50; death of, 55
- Gouge, William, character and work of, vii. 259; his language about the sanctity of churches, 272
- Gough, Sir James, nominates Everard as Speaker of the Irish Parliament, ii. 289, gives out that James will grant liberty of conscience, 296
- Gower, Sir Thomas, resists the jurisdiction of the Council of the North, vii. 238; is imprisoned, 239
- Graces, the, first draft of, viii. 13; amended form of, 17; Wentworth's resolution about, 46; the greater part of them become law, 52
- Graham, Sir Richard, accompanies Charles to Madrid, v. 6
- Grandison, Viscount, 1620-1630 (Oliver St. John), is a member of the Council of War, v. 223; proposal of Heath to produce the evidence of, 231; is made Lord Tregoeze in the English peerage, vi. 114; urges the English Council not to neglect the army in Ireland, viii. 11. *See* St. John, Sir Oliver
- Giant, John. *See* Gunpowder Plot
- Grantham, dispute about the position of the communion-table at, vii. 16
- Gravesend, Charles and Buckingham cross the ferry at, v. 6
- Gray, Lady Catherine, her claim to the throne, i. 78; her marriage with the Earl of Hertford, 79
- Gray, Sir Andrew, asks permission to levy troops for Bohemia, iii. 333; is allowed to levy them, 334
- Gray's Inn, preachship of Sibbes at, vii. 261
- Great Britain, proposed title of King of, i. 177
- Great Council, the. *See* Council, the, Great Great Level of the Fens, drainage of, viii. 294
- Greenway, Oswald. *See* Gunpowder Plot
- Gregory XV., Pope, 1621-1623, appoints a congregation to consider the marriage

GUN

- treaty, iv. 350; demands new conditions in the marriage treaty, 351; receives a letter from James, 372; writes to Prince Charles, v. 49, death of, 92
- Grenville, Sir Richard, lands with troops in Ireland, x. 173
- Gresley, Walsingham, meets Prince Charles at Irun, v. 9
- Greville, Sir Fulk, becomes Chancellor of the Exchequer, ii. 260; gives his opinion on the preparation for Parliament, 365; argues against the surrender of the cautionary towns, 385; becomes a Commissioner of the Treasury, iii. 189; becomes Lord Brooke, iv. 25. *See* Brooke, Lord
- Grey, a friar suggests a marriage between Charles and Henrietta Maria, v. 175
- Grey of Wilton, Lord, 1593 (Thomas Grey), takes part in Watson's plot, i. 110; trial and conviction of, 138; is reprieved and sent to the Tower, 139
- Grey Friars' Church, signature of the Covenant in, viii. 333
- Grimston, Harbottle, speaks on grievances in the Short Parliament, ix. 99; tells an anecdote about the judges and the bishops, 224; declares Laud to be the root of all the miseries of the country, 248
- Grimston, Sir Harbottle, asks for an explanation of the law on committal, vi. 273
- Grindal, Edmund (*Archbishop of Canterbury*, 1575-1583), sends Presbyterians to gaol, i. 28; favours the prophesyings, 30; is suspended for protesting against their suppression, 31; death of, 33
- Grisen Leagues, the, lose possession of the Valtelline, v. 219
- Grocers' Hall, the Commons meet in committee at, x. 147
- Grol, captured by the Dutch, vi. 374
- Grotius, Hugo, sent as commissioner to treat of the East India trade in England, ii. 313; writes the *Mare Liberum*, iii. 164
- Guernsey, imprisonment of Burton in, viii. 233
- Guiana, Raleigh's first voyage to, ii. 373; voyage of Keymis to, 377, Berry's voyage to, 378; exploitations of Leigh and Harcourt in, *ib.*; claimed by the King of Spain, iii. 39; supposed position of a gold mine in, 44; Raleigh's second voyage to, 108
- Guildhall, the, a committee of the whole House ordered to meet at, x. 126; meeting of the Commons in committee at, 143
- Guillon, Jean, refuses to surrender Rochelle, vi. 343; has difficulty in keeping up the spirits of the Rochellese, 363
- Gun, Colonel, alleged treachery of, ix. 41
- Gunpowder Plot, the idea of, conceived by Catesby, i. 235; suggested to Percy, *ib.*; to Thomas Winter and John Wright, 236; Winter brings Fawkes from Flanders to England, 237; Percy fully informed, *ib.*; after an oath of secrecy, a house is taken

GUR

at Westminster, and another, under the charge of Keyes, at Lambeth, 238; commencement of the mine, 239; Robert Winter, John Giant, John Bates, and Christopher Wright admitted, 240; a cellar hired, 241; visit of Fawkes to Flanders, 242; Baynham sent to the Pope, *ib.*; attitude of Garnet, Gerald, and Greenway, 243; want of money amongst the conspirators leads them to inform Digby, Rokewood, and Tresham, 244; preparations made for an insurrection, 245; some Catholic lords warned, 246; Tresham resolves to give information, 247; and conveys it in a letter to Lord Montague, 248; who carries it to Whitehall, 249; information given to the King, 249; the gunpowder discovered, and Fawkes captured, 250; Tresham's part in the discovery discussed, 251; warning given to the conspirators, 253; who refuse to abandon the design, 256; on the arrest of Fawkes, they take flight, 257; the hunting at Dunchurch, 258; seizure of horses at Warwick, 259; attempt to gain over Abington and Talbot, 260; conduct of Garnet and Greenway, *ib.*; the flight to Holbeche, 261; death of the two Wrights, Catesby, and Percy, and capture of the other plotters, 263; character of the plot, 264; examination of Fawkes, 265; torture of Fawkes, 266; death of Tresham, 268; trial of the surviving conspirators, *ib.*; their execution, 269; anniversary of the discovery of the plot ordered by Parliament to be observed, and a Bill of Attainder against the conspirators passed, 286. *See* Garnet, Henry

Guiney, Richard (*Lord Mayor*), is knighted, x. 85. *See* Gurney, Sir Richard

Gurney, Sir Richard, is made a baronet, x. 94; opposes the signing of a petition, 99; interferes with citizens petitioning the House of Commons, 104; commits Propher Hunt to prison, 105; remonstrates against Lunsford's appointment, 112; is ordered to keep the peace in the City, 134; refuses to call out the trained bands, 147; cannot proclaim the members traitors, *ib.*; orders the King's proclamation prohibiting the publication of the Militia Ordinance to be read in the City, 202; is impeached for publishing the King's commission of array, 209; is sentenced by the Lords, 217

Gustavus II., Adolphus (*King of Sweden*, 1611), proposes to marry the Princess Elizabeth, ii. 136; plan for a war against the House of Austria laid down by, v. 247; critical position of, 293; suggests the formation of a general Protestant league, 294; plan of campaign proposed by, 295; fears a Danish attack, 296; alarm of James at the magnitude of the demands of, 297; proposal of James that the King of Denmark shall serve under, 298; refuses to

HAK

take part in the war on James's conditions, 300; makes war against Poland, 301; sends an ambassador to the congress at the Hague, who dies before its meeting, vi. 35; aids Stralsund, vii. 97; wishes that a Protestant alliance may be formed against the Emperor, 99; is allowed to levy regiments in England and Scotland, 102; lands in Germany, 171; establishes himself in Pomerania, 178; makes a treaty with the French, but is unable to relieve Magdeburg, 179; defeats Tilly at Breitenfeld, 188; receives Vane at Wurzburg, 189; refuses to be bargained with by Charles, 194; keeps Christmas at Mentz, 195; offers to regain the Palatinate if Charles will aid him with a fleet and army, 196; defeats Tilly on the Lech, and enters Munich, 197; in the midst of his struggle with Wallenstein at Nuremberg, rejects Charles's offer of aid, 205; is slain at Lutzen, 207

Guthrie, John (*Bishop of Moray*, 1623), preaches at Holyrood in a rochet, vii. 228

Gwilliams, George, gives evidence against the Lakes, iii. 192

Gwynn, confesses a design to murder James, i. 106

HABEAS CORPUS, the writ of, demand of the five knights to be bailed on, vi. 214; proposal of Noy for a bill regulating the issue of, 262; proposal of Wentworth to introduce a bill on, 266; application of imprisoned members of Parliament for, vii. 90; applied for by Pargiter, ix. 161

Habington, William, his *Castara*, vii. 340

Hackney coaches, licences granted to, viii. 291

Haddington, 2nd Earl of (Thomas Hamilton), heads a deputation to summon the Scottish Council to keep the peace with the English Parliament, x. 203

Haddington, Viscount, 1606-1625, Earl of Holderness, 1620-1625 (John Ramsay), payment of the debts of, i. 330; is appealed to by Raleigh, ii. 380; becomes Earl of Holderness, iv. 25. *See* Holderness, Earl of

Hague, the, Congress proposed by James, to meet at, v. 298; delay in the meeting of the Congress at, 323; Buckingham prepares to visit, vi. 7; meeting of the Congress at, 35; treaty between England, Denmark, and the States-General, signed at, *ib.*; conference of deputies from the two parts of the Netherlands at, vii. 214

Haguenau, is besieged by the Archduke Leopold, iv. 310; is abandoned by Mansfeld, 338

Haig, William, draws up the supplication of the Scottish lords of the Opposition, vii. 293; escapes to Holland, 295

Hakewill, William, is a member of the first Parliament of James I., i. 165; believes the imposition on currants to be legal, ii. 8; changes his opinion and takes

HAL

- part in the debate on impositions, 78; recommends the House of Commons in 1674 to discuss the impositions, 237
- Halberstadt, Administrator of. *See* Christian of Brunswick
- Hales, John, opinions of, viii. 265, his interview with Laud, 267, becomes a canon of Windsor, 268
- Hall, Joseph (*Bishop of Exeter*, 1627; of *Norwich*, 1641), publishes *Episcopacy by Divine Right*, ix. 107, is obliged to beg pardon of Saye, *ib.*; his *Humble Remonstrance for Liturgy and Episcopacy*, 274; becomes Bishop of Norwich, x. 41
- Hamburg, ships from, placed under an embargo, v. 285, Wallenstein marches past, vi. 186, is blockaded by Trevor, 187; attempt of Dr. Ambrose to read the English service at, vii. 314, the French refer the consideration of their treaty with Charles to a congress to meet at, viii. 217; delay in the meeting of the congress at, 375; meeting of the congress at, 376, result of the congress at, 381
- Hamilton, Lord John, is invited by the ministers of Edinburgh to put himself at their head, i. 64; is created Marquis of Hamilton, 76. *See* Hamilton, Marquis of
- Hamilton, Lord William, created Earl of Lanark, ix. 55. *See* Lanark, Earl of
- Hamilton, Marchioness of, wish of Charles that she shall be a lady of the Bedchamber to the Queen, vi. 4; attempts made to induce her to change her religion, viii. 238
- Hamilton, 2nd Marquis of, 1604-1625, Earl of Cambridge, 1619-1625 (James Hamilton), speaks in Bacon's favour, iv. 102; votes against war with Spain, v. 178; is believed to have employed Frenchmen to rob Lafuente of his despatches, 204; dissuades Buckingham from sending Bristol to the Tower, 232; opposes Buckingham's subservency to France, 261; death of, 311
- Hamilton, 3rd Marquis of, 1625 (James Hamilton), is allowed by Charles to levy volunteers for Gustavus, vii. 174; Charles explains to Coloma the conditions of the enterprise of, 178; Roe disbelieves the possibility of the success of, *ib.*; levies volunteers in Scotland, 181; rumour of the intended treason of, disbelieved by Charles, 182; raises volunteers in England, and sails to join Gustavus, 183; failure of his enterprise, 190; becomes Charles's adviser on Scottish affairs, 297; opposes Necolalde, viii. 100; secures a payment from the Vintners' Company, 286; has the right of licensing Hackney coaches, 291; is selected to carry on Charles's negotiations with the Scots, as commissioner, 339; character of, 340; is indifferent to the religious side of the dispute, 341; despairs of success, *ib.*;

HAM

arrives in Scotland, 342, enters Edinburgh, 343; despairs of obtaining the submission of the Covenanters without war, 344; proposes to return to England, 345; has the King's declaration read in Edinburgh before leaving Scotland, 346; encourages the resistance of the Covenanters, 347; returns to England, 348, is sent back to Scotland to authorise an Assembly and a Parliament, 360, brings with him a Covenant proposed by the King, and tries to divide the Covenanters, 361; returns to England, and comes back to Scotland with fresh instructions, 362; fails to produce jealousy between the gentry and the clergy, 363, gives advice on the best way of dealing with the Assembly, 366; tries to gain a party for the King, and purchases Edinburgh Castle, 367; complains of the composition of the Assembly of Glasgow, 369, gives hopes of being able to raise a party for the King, 370; dissolves the Assembly, 371, makes his report to the English Council, 382; is sent with a force to Aberdeen, 385; is directed to reinforce Huntly at Aberdeen, ix. 1; is charged by Dorset with treason, 7; is sent to the Forth, 9; condition of his troops at Yarmouth, 10, seizes Scottish shipping, and sails up the Firth of Forth, 13; despairs of success, 14; advises the King to give way, 16; is ordered to negotiate, 17; announces that he has held a conference with the Covenanters, 19; sends two regiments to Holy Island, 20; sends Aboyne to the North, and asks Charles for money, 21; warns Charles that Englishmen will not take his part against the Scots, 29; joins the King, 37; installs Ruthven as Governor of Edinburgh Castle, and is ill-treated by the populace, 44; warns Charles against any attempt to restore episcopacy in Scotland, 45; resigns his commissionership, and carries on an intrigue with the Covenanters, 46; supports Wentworth's proposal to summon a Parliament, 75; suggests Vane for the Secretaryship, 87; is asked to preside over the Scottish Parliament, 136; persuades Charles to set Loudoun at liberty, 168; suggests the seizure of the bullion in the Tower, 170; large numbers of Catholics in command under, 172; attempts to dissuade Charles from going to York, 187; disbandment of the troops of, 188; proposes to betray the Scots, 206; is said to have persuaded Charles to send for Strafford, 221; proposal to impeach, 226; advises the appointment of new Privy Councillors, 293; gives evidence that he does not remember hearing Strafford propose to bring over the Irish army, 321; paper brought by Walter Stewart to warn the King against the influence of, 397; attempts to win over Argyle, 405; accompanies the King to Scotland, x. 3; attaches himself to

HAM

- Argyle, 20; is regarded as a deserter by the King's party, and is challenged by Ker, 21; plot formed to arrest, 23; talk of stabbing, 24; takes flight from Edinburgh, 25; the King speaks of his old affection for, *ib.*; returns to Edinburgh, 80; accompanies Charles to the City after the attempt on the five members, 142
- Hamilton, Sir Thomas, acts as Lord Advocate at the trial of Forbes and other ministers, i. 312. *See* Binning, Lord
- Hamilton, William, is sent to Rome as the Queen's Agent, viii. 144
- Hampden, John, is imprisoned for refusing to pay the forced loan, vi. 157; corresponds with Eliot, vii. 115; musters trained bands in a churchyard, viii. 111; selection for submission to the judges of his refusal to pay ship-money, 271; arguments on the case of, 272; opinions of the judges on the case of, 277; Wentworth's opinion of, 353; asks that the King's demand of twelve subsidies may be put to the House, ix. 113; his study searched, 129; takes part in a meeting of the opponents of the Court, 108, self-abnegation of, 223; wishes the Londoners' petition to be sent to a committee, 281; wishes the question of Strafford's legal guilt to be argued, in spite of the Bill of Attainder, 337; comes to an understanding with Falkland, that episcopacy is not to be abolished, 347; is a member of the committee for investigating the Army Plot, 358; rumoured appointment of, to the Secretaryship, 409; rumoured approaching appointment as Chancellor of the Duchy of Lancaster, 413; is appointed a Parliamentary Commissioner to attend the King in Scotland, ix. 4; arrives at Edinburgh, 19; watches Charles's conduct, 29; returns to Parliament, 71; quiets a tumult in the House of Commons, 77; the King resolves to impeach, 129; impeachment of, 130; his study sealed up, 132; withdraws to the City, 138; announces that his constituents are on their way with a petition, 149; is a member of the Committee of Safety, 209; sends Berkshire a prisoner to London, 218
- Hampden, Sir Edmund, applies for a *habeas corpus*, vi. 213
- Hampshire, men levied for the expedition to Rhé in, vi. 168; alleged meeting of recusants in, x. 42
- Hampton Court, conference at, i. 153; Charles and Henrietta Maria take refuge at, x. 150
- Hansby, Ralph, is said to have bribed Bacon, iv. 96
- Harcourt, his voyage to Guiana, ii. 378
- Harcourt, Sir Simon, proposal to send troops to Ireland under, x. 70; arrives with troops in Ireland, 173; is slain, 174
- Harley, Sir Robert, presents a petition from

HAY

- the ministers for reformation of Church government, ix. 266
- Harrison, John, offers a loan of 50,000*l.*, and is knighted, ix. 254. *See* Harrison, Sir John
- Harrison, Sir John, offers to lend 150,000*l.*, ix. 359
- Harsnet, Samuel (*Bishop of Chichester*, 1609; *of Norwich*, 1619; *Archbishop of York*, 1628), draws up the Lords' propositions on imprisonment, vi. 259; suggests that the Lords should ask the Commons to join in requesting the King to give another answer to the Petition of Right, 308; reprimands Davenant for preaching on predestination, vii. 132; death of, 313; his *Papish impostures*, 323
- Harvest of 1630, deficiency of the, vii. 162
- Harvey, Dr. William, is doubtful of the recovery of James I., v. 314
- Harvey, Lord, 1620-1642 (William Harvey), is a member of the Council of War, v. 470
- Harvey, Sir Sebastian, refuses to marry his daughter to Christopher Villiers, iii. 296
- Harwich, is in danger from the Dunkirk privateers, and is occupied by the Essex trained bands, vi. 8; Pennington sent to protect, 9
- Hastings, Henry, tries to seize the county magazine at Leicester, x. 205; is unsuccessful, 206; finds general resistance in Leicestershire, 209
- Hastings, Sir Francis, moves for a committee on religion, i. 179; reprimanded by the Council for drawing up a petition in favour of the Nonconformists, 199; objects to the King's refusal to allow the Commons to discuss the impositions, ii. 71
- Hatfield Chase, drainage of, viii. 292
- Hatton, Lady, marries Coke, iii. 84; refuses to take his name, 85; appeals to the Privy Council, 86; supports her daughter's refusal to marry Sir John Villiers, and sends her to Oatlands, 90; appeals to the Council, 92; is flattered by Buckingham, 99; refuses to make over her property to her daughter, 100; persists in her refusal, 297; her advice asked by Lepton and Goldsmith how to revenge themselves on her husband, iv. 241
- Hatton, Luke, his connection with the quarrel between Lady Exeter and the Lakes, iii. 191
- Hatton, Sir Christopher, is fined for encroachments on Rockingham Forest, viii. 282
- Haultain, Admiral, defeats the Spaniards off Dover, i. 340
- Havre, orders given to Pennington to attack French ships at, vi. 151
- Hawley, James, quarrels with Maxwell, ii. 230
- Hay, Lord, without place in Parliament,

HAY

- 1606 1615, Lord Hay of Sawley, 1615-1618 (James Hay), payment of the debts of, i. 330, witnesses the confession of Balmerino, ii. 32; his mission to Paris, 391, 393, his courtship of Lucy Percy, iii. 200, marries, and resigns the Mastership of the Wardrobe, 202; is created Viscount Doncaster. *See* Doncaster, Viscount
- Hay, Sir George (*Chancellor of Scotland*), tries to stop the Dutch from attacking a Dunkirk privateer at Leith, v. 82, is sent for by Charles, vii. 279; becomes Earl of Kinnoull, 298. *See* Kinnoull, Earl of
- Hay, Sir John, is made Provost of Edinburgh, viii. 320; is unable to suppress the riots, 322; suggests that the petitioners may leave a small deputation in Edinburgh, 323
- Haye, La, is sent as a French agent to Denmark and Sweden, v. 208
- Harleigg, Sir Arthur, supports the Bill of Attainder, ix. 330; passes on the Root-and-Branch Bill to Dering, 382; asks if it is safe for the King to visit Scotland when a new plot has been discovered there, 395; brings in the Militia Bill, x. 95; the King resolves to impeach, 129; impeachment of, 130, withdraws to the City, 138
- Head of the Church, the King's title of, explained by Cosin, vii. 47
- Heath, Robert, is Somerset's nominee for the execution of Roper's office, iii. 31; is supported by Villiers, 34; is admitted, jointly with Shute, to the office, 35; is put forward by Buckingham for the Recordership, 218, is elected Recorder, 219. *See* Heath, Sir Robert
- Heath, Sir Robert (*Solicitor-General*, 1620; *Attorney-General*, 1625; *Chief Justice of the Common Pleas*, 1631-1634; *Justice of the King's Bench*, 1641), becomes Solicitor-General, iv. 23; supports a petition on religion, 248; acknowledges that the liberties of Parliament are inherited, 257; promises an answer to the grievances of 1624, v. 342; opposes the limitation of tonnage and poundage to a single year, 365; tells the Commons that the additional supply asked for by Coke is not needed, 372, defends the issue of a pardon to a Jesuit, 398; warns the Commons against inquiring into the conduct of Montague on the ground that he is in the King's service, 400; asks the Commons to come to an understanding with the King on the proposed war against Spain, 411; asserts that the Council of War has often been consulted, 430; delivers charges against Bristol, vi. 95; becomes Attorney-General, 32; defends Buckingham before Eliot's committee, 67; gives an opinion adverse to the claim of the Commons to ask what advice had been given by the members of

HEI

- the Council of War, 73, helps Buckingham in his defence, 116, begs Charles to postpone the dissolution, 120; argues for the Crown in the five knights' case, 215; argues against the Commons' resolutions on the liberty of the subject, 233; disavows Sergeant Ashley's statement that the question of imprisonment is too high for legal decision, 257; draws up forms of the answer to be given by the King to the Petition of Right, 296; prosecutes Chambers in the Star Chamber, and applies to the Court of Exchequer to prevent Rolle from regaining his goods, vii. 5; appeals to Montague to revise his book, 19; explains by what authority he has drawn pardons for Montague and others, 47, is accused of stifling a charge against Cosin, 49, acknowledges that the summons of a member on a subpoena is a breach of privilege, 59; propounds questions to the judges on the case against the imprisoned members, 88, exhibits an information in the Star Chamber against them, 91; replies to the demand of the members for bail, 93; advises the King not to produce the prisoners in court, 95; confers with three Privy Councillors on the terms on which bail is to be offered to the imprisoned members, 109; brings an information in the King's Bench against Eliot, Holles, and Valentine, 111; charge brought against Eliot, Holles, and Valentine by, 115; makes a reply, 117; becomes Chief Justice of the Common Pleas, 220; is on the side of leniency in Sheffield's case, 257; is dismissed from the Chief Justiceship, 361; postpones his argument in the case of Chambers, ix. 161; becomes a puisne judge, 264; his appointment of Master of the Wards cancelled, 374
- Heenvliet, John van der Kerckhove, Lord of, converses with Charles about the marriage of Prince William of Orange, ix. 89; is told by Charles that the Commons mean to take the Queen from him, and refuses to beg the King to stay, x. 149, has an interview with Charles and the Queen, 157; informs Charles that the Prince of Orange advises him to keep clear of war, 163
- Heidelberg, Frederick sets out for Bohemia from, iii. 315. Digby provides for the defence of, iv. 222; first siege of, 320; proposed neutralisation of, 337; second siege and fall of, 360; James summons Philip to obtain the restitution of, 371; reception in Madrid of the news of the fall of, 380; the Spanish Government refuses to promise the immediate restitution of, 384; foundation of a college of Jesuits in, 401; the French compel the Imperialists to raise the siege of, vii. 374
- Heilbronn, the League of, is formed, vii. 342; asks aid of Charles, 354; its troops defeated at Nordlingen, 372

HEI

Heiligenhafen, defeat of the Margrave of Baden at, vi. 186

Hein, Peter, captures the Spanish treasure fleet, vi. 374

Helwys, Sir Gervase, appointed Lieutenant of the Tower, ii. 179; conceals an attempt to poison Overbury, 181; makes a statement of his part in the murder, 332; implicates the Earl and Countess of Somerset, 333; trial and execution of, 343

Henderson, Alexander, draws up a protest against the new Prayer-book, viii. 318; appears before the Council with a large following, 319; takes part in drawing up the Covenant, 330; gives satisfaction to those who doubt about the Covenant, 333; accompanies Montrose to Aberdeen, 360; is probably the author of the protestation against the King's Covenant, 361; is elected Moderator of the Assembly of Glasgow, 369; draws up a declaration of the wish of the Scottish Commissioners to see episcopacy abolished in England, iv. 296; draws up a memorial for unity of religion, 299; is constantly at the King's side, x. 6

Henrietta Maria, Princess, is ready to consent to marry Charles, iii. 388; is seen by Charles at Paris, v. 7; Parliament is informed of Charles's projected marriage with, 199; receives Kensington, 216; personal appearance of, 217; marriage of, 325 See Henrietta Maria, Queen of England, Marriage treaty

Henrietta Maria (*Queen of England*, 1625), her first interview with Charles, v. 333; enters London with Charles, 334; impetuous character of, 375; refuses to alter the regulations of her household, 376; is disappointed at Charles's failure to observe his engagements in favour of the Catholics, *ib.*; resents her husband's attempt to impose English Ladies of the Bedchamber upon her, vi. 4; disturbs the Protestant service at Titchfield, 5; Charles refuses to discuss with Blainville the arrangements for the household of, 28; Charles declares his resolution to introduce English ladies into the household of, 38; refuses to be crowned, or to be present at her husband's coronation, 48; her conduct on the day of the opening of Parliament, 55; interferes on Arundel's behalf, 72; quarrels with her husband, 134; visits Tyburn, 135; expulsion of the French attendants of, 136; is dissatisfied with the new arrangements for her household, 141; Bassompierre's influence with, *ib.*; is on better terms with her husband, 145; becomes affectionate to her husband after Buckingham's death, 367; declares herself satisfied with her English household, and advocates peace with France, vii. 100; miscarriage of, *ib.*; is happy in the affection of her husband, and cannot be persuaded to take interest in politics, 106;

HEN

proposal to send a bishop to preside over the Capuchins in the household of, *ib.*; profuse expenditure of, 107; gives birth to Prince Charles, 140; receives Coloma coolly, and tells Charles that he will have many white hairs before Spain restores the Palatinate, 171; poverty of, 175; shows her displeasure at the peace with Spain, 176; asks for justice against Fontenay-Mareuil, 186; refuses to be reconciled to Fontenay-Mareuil, 199; Weston intercepts a letter from, 217; obtains Holland's pardon, 218; gives birth to the Princess Mary, *ib.*; Alington's fine secretly paid to, 252; gives birth to Prince James, 299; alleged attack by Prynne on her acting in the *Shepherd's Pastoral*, 329; receives the Inns of Court masquers, 337; character of the Court of, 338; obtains Jermyn's pardon, 339; tries to find out what Charles intends to do with the ship-money fleet, 389; urges Charles to enter into an alliance with France, viii. 83; takes Cottington's part against Laud, 87; urges Seneterre to persist in his negotiation, 97; suggests that France may exchange Lorraine for the Palatinate, 98; throws open her chapel at Somerset House, 131; proposed residence of a Papal agent at the Court of, 134; takes her eldest son to mass, 137; promises to do her best to bring up her son as a Catholic, 140; is forbidden to take the Prince to mass, *ib.*; is urged to take the part of Lady Purbeck, 146; visits Oxford, 150; orders the repetition of *The Royal Slave*, 152; is roused by Con to take interest in Catholic conversions, 236; opposes Laud, 239; keeps back the proposed proclamation against the Catholics, 240; obtains the modification of the proclamation, 241; defies the proclamation, 242; pleads with Charles to allow her mother to visit England, 380; urges the Catholics to contribute to the war with Scotland, ix. 25; wishes the ladies of England to contribute to the war, 26; wishes to visit her husband at Berwick, 40; is pleased at the conclusion of peace with Scotland, 42; supports Bellievre against Cardenas, 63; urges Charles to appoint Leicester Secretary, 86; favours Vane's candidature, 87; fears lest the Short Parliament will persecute the Catholics, *ib.*; asks her husband to protect Rossetti, and misrepresents the stipulations of her marriage treaty, 88; appeals to Strafford for help, *ib.*; gives her full support to Strafford, 110; sends a message to the Pope to ask for money and men, 134; influences her husband in favour of the Catholics, 157; is disappointed at the refusal of the Pope to send men and money unless Charles will become a Catholic, ix. 175; asks Essex to offer his services to the King, 199; assures Strafford of her protection, 221; is the centre of intrigue, 227; character,

HEN

of, 228, asks the Catholics to fast in support of her intention, 233; gives Windebank a letter of introduction on his flight to France, 243; applies to Rome for money with which to bribe the Parliamentary leaders, and favours a Dutch marriage for her daughter, 244; protects Rossetti and repeats her request to the Pope for help, 251; informs Rossetti that the King, if successful with the Pope's aid, will grant liberty of worship to the Catholics, 252; negotiates with the Parliamentary leaders, 254; hopes for aid from the Prince of Orange, 262, appeals to the King to pardon Goodman, 265; proposes to visit France, 271; sends a message to the Commons, 272; has interviews with Bedford and Pym, 273; her message coldly received by the Commons, *ib.*, is present at Stafford's trial, 303, is refused permission to visit France, 309, is informed that the Pope will not give her money unless he is assured that her husband has changed his religion, and replies that all that can be expected is liberty of worship for the Catholics, 310; Goring offers to hold Portsmouth for, 313; is informed of the Army Plot, 314; supports the Army Plot, 324; statement of Goring that she intends to take refuge at Portsmouth, *ib.*, wins over Digby, Holland, and Savile, 339; schemes for overpowering Parliament recommended by, 343; prepares to fly from Whitehall, 357, is dissuaded by Montreuil from taking flight, 363; is vexed at the treatment of the Catholics, 374; again makes offers to the Pope through Rossetti, 383, her last interview with Rossetti, 403, proposes to go to Spa, 406, remonstrance of La Ferté Imbault, and of Parliament against the proposed journey of, *ib.*, resolves to leave London when the King visits Scotland, 410; is not informed of Ward's execution till it is too late to plead for him, 412, accompanies her mother to the sea-coast and talks of leaving England, *x.* 3; again begs for money from the Pope, 20, a large number of peers pay their respects to, 38; boasts of the number of men who will rally to Charles, 42; supports the petition of the Irish Catholics for toleration, 46, joins her husband at Theobalds, and accompanies him into the City, 84; is excited by the persecution of the Catholics, 97, urges her husband to break thoroughly with his opponents, 98; alleged intention to impeach, 128; urges Charles to seize the five members, 133; despatches Charles to the House of Commons and tells the secret to Lady Carlisle, 136; Charles anxious for the safety of, 149; leaves Whitehall, 150; advises Charles to assent to the Bishops' Exclusion Bill, 165; leaves England, 168; wide-reaching designs of, 177; urges the King to secure Hull, 178; hopes for aid

HER

from the Dutch, 187; looks to the King of Denmark for help, 188; is probably the adviser of Charles's proposal as to Ireland, 194; sells or pawns the Crown jewels, and purchases munitions, 201; proposes to join Charles in Ireland, 203; arrival in the Humber of a vessel sent with arms and ammunition by, 209, opinion of Lady Sussex on the conduct of, 213.

Henry IV. (*King of France*, 1589-1610), sends Rosny to England, *i.* 106; wishes James to support the Dutch secretly, and concludes a treaty with James for their defence, 107, offers for a double marriage made by Spain to, *ii.* 27, news of the murder of, 72, resolves to intervene in Cleves, 90, murder of, 98.

Henry VII. (*King of England*, 1485-1509), reign of, *i.* 5.

Henry VIII. (*King of England*, 1509-1547), reign of, *i.* 6; breaks with the Papacy, 7, treatment of religious parties by, 10; representative character of, 11, freedom of arrest on civil process granted to members of the House of Commons by, *iii.* 256; Windebank and Lord Herbert of Cherbury converse with Panzani on the conduct of, *viii.* 137.

Henry Frederick (*Prince of Wales*, 1610-1612), proposed marriage of, with the Infanta Anne, *i.* 220, 343; *ii.* 23, is created Prince of Wales, 73; stands by Phineas Pett, 74; various marriages proposed for, 137, 153, his own opinion on his proposed marriage, 156; illness and death of, 157; Coke attributes to poison the death of, 345.

Herbert, Edward, maintains the charge against Buckingham of purchasing offices, *vi.* 100; takes part in the arrangement of the Inns of Court masque, *vii.* 330. *See* Herbert, Sir Edward.

Herbert, George, his lines on the observance of Sunday, *iii.* 250; his life at Cambridge, *vii.* 265; delivers an oration on the return of Charles from Spain, 266; takes orders and removes to Hemerton, 267; character of the poetry of, 268, death of, 269.

Herbert, Lord (Edward Somerset), military commission issued to, *ix.* 270; brings money to the King, *x.* 207.

Herbert of Cherbury, Lord (1629), assures Panzani that he will make his *Life of Henry VIII.* as favourable as possible to the Church of Rome, *viii.* 137; offers to submit his book, *De Veritate*, to the Pope, 138; wishes to break off the treaty of Ripon, *ix.* 213. *See* Herbert, Sir Edward.

Herbert, Sir Edward, advocates a French marriage, *iii.* 388; offers to mediate between Louis XIII. and the French Protestants, *iv.* 290; is insulted by Luynes, *ib.*; is recalled to England, 291; returns as ambassador, 292; advises James not to show too much confidence in France,

HER

- v. 218; is recalled, *ib.*; informs James that the French do not intend to break with Spain, 249; becomes Lord Herbert of Cherbury, vii. 265. *See* Herbert of Cherbury, Lord
- Herbert, Sir Edward (*Attorney-General*, 1641), becomes Attorney-General, ix. 254; impeaches the five members, v. 130, is impeached, 167; sentence on, 194
- Herbert, Sir Gerard, is killed at Heidelberg, iv. 361
- Herbert, Sir John, second Secretary, i. 163
- Herbert, Sir Percy, alleged military preparations by, ix. 270
- Hertfordshire, payment of the forced loan in, vi. 153; declares for the King, x. 210
- Heritable jurisdictions of the Scottish nobility, James wishes to abolish, iii. 225; Charles wishes to buy up, vii. 281
- Herring fishery, the, James claims rights over, iii. 173; an English company formed to carry on, vii. 349; is interrupted by Dunkirk privateers, 381, the Dunkirk privateers attack Dutch boats engaged in, 389; Northumberland sells licences to Dutch boats for, viii. 157; Charles wishes to persuade the Dutch to accept his licences for, 218; and urges the Cardinal Infant to acknowledge his protection of the Dutch boats employed in, 219; Fielding prevented from offering licences for, 220
- Hertford, Earl of, 1621-1640 (William Seymour), votes against interference with the Commons, ix. 109. *See* Seymour, William; Hertford, Marquis of
- Huttford, Marquis of, 1640 (William Seymour), signs the petition of the twelve peers, 199; asks the Council to support the petition, 202; becomes a Privy Councillor, 292; is governor of the Prince of Wales and is ordered by the Lords to keep a strict watch over him, x. 42; rumoured dismissal of, from the Council and office, 98; warns the bishops against risk from the mob outside the House of Lords, 117; is required by the Parliament to keep the Prince of Wales in his care, 156; brings the Duke of York to the King, 191; is appointed to command for the King in the West, and puts himself at the head of a force raised in Somerset, 216; is driven from Wells, and takes up his quarters at Sherborne, 217. *See* Seymour, William; Hertford, Earl of
- Hertfordshire, resistance to the forced loan in, vi. 150; deputy-lieutenants of, express themselves doubtfully of the legality of coat-and-conduct money, ix. 141; levy of soldiers resisted in, 160; destruction of communion-rails in, 186; petition of grievances presented from, 224
- Hertogenbosch (Bois-le-Duc), siege of, vii. 103, is taken by the Prince of Orange, 170

HOB

- Hesse-Cassel, Maurice, Landgrave of, urges Frederick to summon a meeting of German Protestants, iii. 302; is compelled to submit to the Emperor, iv. 191
- Hesse-Darmstadt, Lewis, Landgrave of, is seized by Mansfeld and Frederick, iv. 313; flies and is recaptured, 314; takes part in the Assembly of Ratisbon, 404
- Heveningham, Sir John, applies for a *habeas corpus*, vi. 213
- Hewat, Thomas, takes part in the preparation of a Scottish Prayer-book, iii. 227; rejection of his book, vii. 282
- Heylyn, Peter, preaches against the seoffees for impropriation, vii. 258; examines *Histrionastix*, 329, publishes *A Coal from the Altar*, viii. 253; converses with Hales, 267
- Heyman, Sir Peter, expresses sorrow that Finch is a Kentish man, vii. 74; having been imprisoned, satisfies the Court and is liberated, 80
- Heywood, Peter, attempted assassination of, ix. 239
- Heywood, Thomas, is joint-author of *The Lancashire Witches*, vii. 326
- Heyworth Moor, meeting on, x. 199
- High Commission, Court of, established by Elizabeth, i. 34, powers of, 35; cases of Ladd and Maunsell in, ii. 36; Fuller's attack on, 37; Fuller imprisoned by, 38, the judges abandon Fuller to be punished by, 40, enters on a dispute with the judges on Chauncey's case, 122; new commission issued for, 123; Coke's opposition to, 124; proceedings against unlicensed books in, vii. 130; degradation of Leighton by, 150; cases of Bernard and Alington in, 251; protection given to injured wives by, 252; attempts to suppress Antinomianism, *ib.*; a congregation of Separatists brought before, *ib.*, case of Vicars in, 253; sentence pronounced on Lady Eleanor Davies by, 303; submission of Chauncey in, viii. 116; sentence of Ward in, 119, gentlemen cited before, 123; case of Lady Purbeck in, 145; testimony to its character borne by the Act Books of, iv. 79; attack by a mob on, 215; no opposition in the Commons to a Bill for the abolition of, 383; abolition of, 404
- High Commission, the Scottish Court of, establishment of, ii. 102; abolition of, viii. 363
- Highlanders, the, dress and equipment of, ix. 27; bows and arrows of, 189
- Hinchinbrook, is sold by Sir Oliver Cromwell, vii. 53
- Hippesley, Sir John, protests that martial law is useless with unpaid soldiers, v. 284
- Histrionastix*, *The*, publication of, vii. 328; alleged attack on the Queen in, 329
- Hobart, Sir Henry (*Attorney-General*, 1606; *Chief Justice of the Common Pleas*, 1613), becomes Attorney-General,

HOB

1. 300, objects to Sandys's proposal to allow counsel to prisoners, 339, gives an opinion on Legate's case, II. 129, argues against Whitelocke, 189, becomes Chief Justice of the Common Pleas, 208, is spoken of as Ellesmere's successor, III. 78, his vote on Suffolk's trial, 210, death of, VI. 149
 Hobart, Sir Miles, locks the door of the House of Commons, VII. 70, having been imprisoned, applies for a *habeas corpus*, 90, is removed to the Tower, 94
 Hoby, Sir Thomas Posthumus, agrees to the Petition of Right, VI. 274
 Hochst, battle of, IV. 318
 Holborne, Robert, is retained to plead for Hampden, VIII. 271; argument of, 271; argues that canons bind the laity, IX. 248, argues against the clause of the Bill of Attainder which declared that Stafford had committed treason, 337, votes against the third reading, 338
 Holderness, Earl of, 1620-1625 (James Ramsay), blames James for allowing himself to be tricked by the Spaniards, V. 59. See Haddington, Viscount
 Holland. See Netherlands
 Holland, Earl of, 1624 (Henry Rich), is dissatisfied with the French, V. 270, accompanies Buckingham to the Netherlands, VI. 34; is sent on a mission to France conjointly with Carleton, 39, negotiates, together with Carleton, a peace between Louis and the Huguenots, 50, is ordered to carry reinforcements to Rhé, 183; difficulties in the way of, 190; sails from Portsmouth, but is driven back, 192; goes by land to Plymouth, where the wind is unfavourable, 196; is detained by a storm in Plymouth Sound, 193; becomes Master of the Horse, 360; suggests to Chateaufort to ask Charles to summon Parliament, VII. 104; splendid hospitality of, 105; is unable to obtain repayment of the debt owed him by the King, 166; weakness of the party headed by, 200; seizure of a packet of letters from, 217; challenges Weston and is placed in confinement, and released at the Queen's intercession, 218; holds a justice-seat for the Forest of the Dean, 362; holds a justice-seat for Waltham Forest, 365; enforces the extension of the boundaries of Waltham Forest, VIII. 77; gives sentence at Winchester against the Earl of Southampton, 86; supports the Queen's plan of an exchange of Lorraine for the Palatinate, 99; resists Laud's claim to visit the University of Cambridge, 147; levies fines in Rockingham Forest, 282; appointed General of the Horse in the first Bishops' War, 386; accompanies Arundel to Dunse, IX. 23; marches against the Scottish troops at Kelso, 27; gives a silent vote to the King, 111; votes against the dissolution of the Short Parliament, 117; attempts to dissuade Charles from going to York, 187; tells

HOL

Monticuli that he will use his influence on behalf of Rossetti, 271, is suggested by Henry Percy for the command of the army, 316, is won over by the Queen, 339, is excused from voting on the Attainder Bill, 361, is appointed General of the Northern Army, X. 2; writes to Essex enigmatically of danger, 3, is ordered by Parliament to secure Hull, 5; returns from disbanding the Northern Army, 29; thinks the Incident may be imitated at Westminster, 32, the Lords restrict his authority over the trained bands to the terms of the King's commission, 73; rumoured dismissal of, from the Council and office, 98; intention of Charles to call as a witness against the accused members, 130, accompanies Charles to the City after the attempt on the five members, 142, wishes Charles to postpone his departure from Whitehall, 149; is stopped by the House of Lords from obeying Charles's summons to attend him at York, 179; is a member of the Committee of Safety, 209; brings a message from the House to the King, 212, is despised by the Royalists as having been driven into opposition by loss of Court favour, 26. See Kensington, Viscount
 Holles, Denzil, complains of the disaster at Rhé, VI. 202, holds the Speaker down in his chair, VII. 68; reproves Eliot for burning his resolutions, 74; puts the resolutions from memory, 75, having been imprisoned, applies for a *habeas corpus*, 90, information in the King's Bench against, 111, is transferred to the Marshalsea, 115, argument of Heath against, 16, fine imposed on, 119, says that there is danger of a general assassination, IX. 240; wishes the Londoners' petition against episcopacy to be referred to a committee, 281; opposes Pym's proposal to compel the Londoners to lend, 295; approves of the preparation of a protestation, 353; is a member of the committee for investigating the Army Plot, 358; rumoured appointment of, to the Secretaryship, 409, proposes to charge with treason the bishops impeached for their part in making the new canons, X. 40; asks that the declaration against toleration may apply to all the King's dominions, 97, carries up a protest against the delay of the Lords in proceeding with the Impressment Bill, 103; the King resolves to impeach, 120; impeachment of, 130; his study sealed up, 132; withdraws to the City, 138; carries to the Lords the artificers' petition, 162; is a member of the Committee of Safety, 209
 Holles, Sir John, fined and imprisoned by the Star Chamber, II. 342; buys a peerage, 393. See Houghton, Lord
 Holy Island, the, arrival of two of Hamilton's regiments at, IX. 20
 Holy Table, Name and Thing, The, published by Williams, VIII. 253

HOL

- Holyrood, dispute about the carvings in the chapel of, iii. 223; use of an organ at, 224; ceremonial magnificence in the chapel of, during Charles's visit, vii. 285; Laud's sermon at, 289
- Hooker, Richard, his *Ecclesiastical Polity*, i. 39; his opinion on the consecration of churches vii. 242
- Hoppe, Sir Thomas, is said to have been an instigator of the tumult at St. Giles's, viii. 316; gives an opinion favourable to the organisation of the supporters of the General Supplication, 325; remonstrates with Rothes, ix. 93
- Hopton, Arthur, is English resident at Madrid, vii. 351; advises Charles not to trust Spain, 354. *See* Hopton, Sir Arthur
- Hopton, Sir Arthur, is ordered to suggest Spanish marriages for Charles's children, i. 89; receives instructions on the language which he is to hold on the fight in the Downs, 90. *See* Hopton, Arthur
- Hopton, Sir Ralph, wishes the Londoners' petition against episcopacy not to be referred to a committee, iv. 281; wishes the Protestation to be in favour of religion as established, 353
- Hoskins, John, attacks the Scottish favourites, ii. 246; is imprisoned, 249. *See* Hoskins, Serjeant
- Hoskins, Serjeant, argues that what has not received the assent of the King and all the State is not a public act of the Church, vii. 41. *See* Hoskins, John
- Hotham, John, is sent by his father to secure Hull, x. 153; fails to induce the Mayor to let troops into Hull, 159; makes himself master of Hull, 162
- Hotham, Sir John, declares that the military charges are more burdensome than ship-money, ix. 115; refuses to answer questions about his conduct in Parliament, 129; is imprisoned, 130; liberation of, 135; thinks that Laud is guilty of treason, 148; is ordered by Parliament to secure Hull, x. 153; is ordered to reinforce the garrison at Hull, 184; refuses to admit Charles into Hull, 192; is proclaimed a traitor, 193; promises Digby to surrender Hull, but changes his mind, 212
- Houghton, Lord, 1616-1624 (John Holles), offers to buy the Secretaryship, iii. 101. *See* Clare, Earl of
- Howard de Walden, Lord, 1610-1626 (Theophilus Howard), asks that Bacon's peerage may be suspended during his life, iv. 103
- Howard de Walden, Lord, 1597-1603, (Thomas Howard), is created Earl of Suffolk, i. 108. *See* Suffolk, Earl of
- Howard, Lady Frances, marriage of, ii. 166. *See* Essex, Countess of, and Somerset, Countess of
- Howard, Lord Henry, his character, i. 93; is raised to the peerage, 208. *See* Northampton Earl of

HUN

- Howard of Escrick, Lord, 1628 (Edward Howard), signs the petition of the twelve peers, ix. 199; brings the petition of the twelve peers to Charles, 201; is appointed a Parliamentary Commissioner to attend the King in Scotland, x. 4
- Howard, Sir Robert, lives in adultery with Lady Purbeck, viii. 145
- Howson, John (*Bishop of Oxford*, 1618; *Bishop of Durham*, 1628-1632), declares that Montague's opinions are not condemned by the Church, v. 401; becomes Bishop of Durham, vi. 330; is alarmed at Cosin's proceedings, vii. 129; is commanded by Charles to forbear any further action against Cosin, 130
- Howth, Lord, 1666 (Christopher St. Lawrence), assures Chichester that there is a plot for a revolt in Ireland, i. 412; refuses to be produced as a witness, 413
- Hudson, the, Dutch settlement at the mouth of, vii. 155
- Huguenots, the. *See* France
- Hull, magazine of military stores established at, viii. 367; Parliament orders Holland to secure, x. 5; attempts made by King and Parliament to secure, 152; intention of Charles to land Danish soldiers at, 153; refuses to admit troops from either side, 159; is occupied by Hotham, 162; Charles hopes to make himself master of, 170; rumoured preparation of a large Danish army for, 177; the Queen urges Charles to secure, 178; Charles temporarily abandons his design on, 179; orders given to reinforce the garrison of, 184; the Queen again urges Charles to make himself master of, 189; order of Parliament for the removal of the magazine from, 190; Charles resolves to demand the surrender of, 191; Hotham refuses to admit the King into, 192; controversy on the King's right to, 193; peremptory order of the Houses for the removal of the munitions from, 195; Warwick fetches the munitions from, 196; Digby urges Hotham to surrender, 211; Digby escapes from, 212; the King's troops driven off by a sally from, 214
- Hume, Sir George, appointed Chancellor of the Exchequer and Master of the Wardrobe, i. 95; becomes Earl of Dunbar, 310. *See* Dunbar, Earl of
- Hungary, King of. *See* Ferdinand
- Hunsdon, Lord, 1640 (John Cary), votes against the refusal of the Lords to impart their resolution on Divine worship to the Commons, x. 16
- Hunt, Robert, is factor at Puloway, iii. 166
- Hunt, Prophet, is imprisoned for creating a disturbance in a church, x. 105
- Huntingdon, Cromwell's early life at, vii. 51; a new charter granted to, 165; Cromwell removes from, 166
- Huntly, Earl of, 1576-1599 (George Gordon), engages in a conspiracy, i. 50; is defeated by James, 51; is driven into exile, and returns to Scotland, 52; con-

HUN

- ditions exacted from, 59; is released from excommunication, 70; is created a Marquis, 76. *See* Huntly, Marquis of
- Huntly, 1st Marquis of, 1599-1636 (George Gordon), excommunication of, ii. 31. *See* Huntly, Earl of
- Huntly, 2nd Marquis of, 1636 (George Gordon), is sent to the North to prepare an opposition to the Covenanters, viii. 344; position of, in the North, 358; nature of the royalism of, 359; is to be reinforced by Hamilton, ix. 1; collects men at Inverury, but soon dismisses them, 3; has an interview with Montrose, 4; is carried to Edinburgh, and refuses to sign the Covenant, 5; takes refuge in England, 165
- Hurry, Colonel, gives information of the plot for seizing Hamilton and Argyle, x. 25
- Hutchinson, Anne, controversy in Massachusetts on the theological opinions of, viii. 174
- Hutchinson, John, character of, viii. 247; Puritanism of, 248
- Hutchinson, Lucy, sketches her husband's character, viii. 247
- Hutton, Matthew (*Archbishop of York*, 1595-1606), his opinion of Puritanism, i. 196
- Hutton, Sir Richard (*Justice of the Common Pleas*, 1617-1639), is made a judge, iii. 81; does not sign the opinion of the judges on the legality of ship-money, viii. 95; signs the judges' declaration on ship-money, 208; delivers judgment in the case of ship-money, 279; mediates between Vermuyden and the inhabitants of Hatfield Chase, 293
- Hyacintho, the friar, urges the Emperor to break off negotiations with Digby, iv. 206; receives from the Emperor an Act conferring Frederick's electorate on Maximilian, 219; is sent to Spain to obtain the approval of Philip, 220; arrives at Madrid, 330
- Hyde, Captain David, stands at the entrance of the House of Commons after Charles has entered, x. 138
- Hyde, Edward, takes part in arranging the Inns of Court masque, vii. 330; complains to Laud of Portland's conduct, viii. 68; moves that the question shall be put whether supply shall be given, ix. 113; moves that the judges who had delivered the ship-money judgment shall be asked to what solicitations they had been exposed, 246; accuses Finch of slaying justice itself, 247; political views of, 275; wishes the Londoners' petition against episcopacy not to be referred to a committee, 281; is employed to persuade Essex to vote against Strafford's death, 340; is chairman of the committee on the Root-and-Branch Bill, 387; his conversation with Charles on the Bill, 388; is startled by the language of Fiennes and Marten, 389; thinks that the Eng-

IMP

- lish Parliament should take no notice of the Incident, x. 72; objects to the Bishops' Exclusion Bill, 37; acknowledges the narrative part of the Grand Remonstrance to be true, 75; protests against the Grand Remonstrance, 76, is the real leader of the Royalist party, but prefers not to take office, 127; becomes the King's secret counsellor, 169; constitutional views of, 18; has no part in Charles's plan of visiting Ireland, 187; joins the King at York, 196
- Hyde, Nicholas, is put out of the commission of the peace, ii. 249; prepares Buckingham's defence, vi. 116, becomes Chief Justice of the King's Bench, 149. *See* Hyde, Sir Nicholas
- Hyde, Sir Lawrence, conducts the prosecution of Weston, ii. 340
- Hyde, Sir Nicholas (*Chief Justice of the King's Bench*, 1627-1631), presides in the Court of King's Bench at the hearing of the five knights' case, vi. 216, orders the reprieve of a condemned priest, vii. 57; character of, 87; is consulted on the case against the imprisoned members of Parliament, 88; expresses an opinion that the members are bailable, 109; begs Charles not to forbid the King's Bench to grant bail, 110; is dissatisfied with the course proposed to him, 111; death of, 220
- Hymn of Beauty*, Spenser's, the idea of, compared with that of Milton's *Comus*, vii. 336
- ICKLINGTON, the soldiers drive away the minister of, ix. 176
- Il Penseroso*, character of the thought underlying, vii. 272
- Imposition on currants, ii. 3; its payment resisted, 5; its legality declared by the Court of Exchequer, 6; the judgment on, not questioned by the House of Commons, 11; resistance to the payment of, vii. 3, questioned by Vassall, 168
- Imposition on tobacco, ii. 6, 11
- Impositions, the new, levied by Salisbury, ii. 12, the King forbids the Commons to discuss, 70; permission granted to discuss, 72; partial remission of, 84; debate on, in 1610, 75; the Commons almost unanimous against the King's claim to, 81; Bill brought in on, 82; Bill on, dropped in the House of Lords, 83; James offers to consent to the Bill on, 709; taken into consideration by the Commons in 1614, 237; debate on, 238; discussion in the Council on the mode of dealing with, 365; question about, not revived in 1621, iv. 27; silence of the Parliament of 1624 on, v. 333; Phelps wishes them not to be forgotten, 364; resistance to the payment of, vii. 3
- Impressment Bill, the, amended by the Lords, x. 95; Charles offers to consent to, if a clause is inserted saving the rights

IMP

- of himself and his subjects, 99, the Commons declare themselves free from responsibility if the Lords refuse to pass, 103
- Imprisonment without cause shown, arguments on, in the five knights' case, vi. 213; Coke's proposal relating to, 232; Wentworth's allusion to, 235, argument in the Commons on, 240, resolution of the Commons on, 245, argument of the lawyers of the Commons before the Lords on, 253, second argument of the lawyers on, 257, debate in the Lords on, 258, the Lords propose a middle course on, 260, Wentworth proposes a Bill on, 263, Wentworth suggests that a good *Habeas Corpus* Bill will render innocuous, 266, clause in the Petition of Right directed against, 275, Charles defends his right to, 276; debate in the Lords on, 277, the Lords adopt an additional clause respecting, 279; difference between the two Houses on, 280; acceptance by the Lords of the view of the Commons on, 286
- Impropriations *See* Peccoles for impropriations
- Inchcolm, is occupied by Hamilton, ix. 15
- Inchkeith, is occupied by Hamilton, ix. 15
- Incident, the, x. 23
- Inclosure, & disturbances about, i. 354
- Inns, issue of a patent for, iv. 2; inquiry concerning, 41; condemned by the Commons, 42
- Inns of Court, the, present a masque to the King, vii. 330; gentlemen of, offer their services to the King, x. 124; Charles attempts to rouse against the Commons, 134; the members of, declare their readiness to defend both King and Parliament, 137
- Inojosa, Marquis of, signs the treaty of Asti, and is recalled, iii. 49; ordered to go as ambassador to England, v. 29; sets out for England, 53; is present when James swears to the articles of marriage, 68; complains of the mode in which James proposes to relax the penal laws, 98; approves of the agreement of Salisbury, 99; is dissatisfied with James's resolution to make no more concessions to the Catholics, 100; complains of the delay of issuing a pardon to the Catholics, 127; receives a copy of the pardon, 128; draws from James an acknowledgment that he cannot expect Philip to take arms against the Emperor, 147; makes fresh offers about the Palatinate to James, 175; complains to James of Buckingham, 188; diverts the attention of Charles and Buckingham whilst Coloma gives a paper to James, 207; accuses Buckingham of conspiring to dethrone James, 220; is detained in England, 228; leaves England, 244; is acquitted in Spain of the charge of conspiring against Buckingham, 268
- Inquisition, the, stipulations in the treaty of 1604, on the treatment of Englishmen by, i. 212

IRE

- Interest, the legality of, questioned, ix. 254
- Interpreter, *The*, condemned by the Commons, ii. 66; disavowed by the King, 67
- Inverury, Huntly gathers men at, ix. 3
- Ipswich, Brent's report of the metropolitanical visitation of, viii. 110; proceedings of Samuel Ward at, 118
- Ireland, results of the Norman Conquest of, i. 358, degeneracy of the conquerors of, 359; want of a central government in, 360, Sir W. Fitzwilliam Lord Deputy of, 361, the English defeated on the Blackwater in, *ib.*; Mountjoy's conquest of, 362; grievances of the towns of, 364, debasement of the coinage in, 36; behaviour of the garrisons in, 366; religious condition of, 367; rebellion of the southern towns of, *ib.*, suppression of the rebellion in, 369; Mountjoy returns to England from, 371; Sir G. Carey appointed Lord Deputy of, 372, restoration of the currency in, *ib.*, Sir A. Chichester appointed Lord Deputy of, 373; tenure of land in, 374; political institutions of, 375; the Government is anxious to introduce English customs into, 377, progress made in the settlement of, 378; condition of the northern part of, 379; first cut in the North of, 380, distribution of the army in, 381; proclamation for the cessation of martial law, and for a disarmament in, 383; proclamation for an amnesty, and for the protection of tenants in, *ib.*, Chichester's first progress through the North of, 386, practical toleration enjoyed under Elizabeth in, 388, religious condition of, 389; attempt to enforce the laws against recusancy in, 391; aldermen of Dublin summoned before the Castle Chamber of, 392; petition presented by the lords and gentlemen of, 393; imprisonment of the petitioners in, 394; resistance to the payment of fines in, *ib.*; justification of the course taken by the Council of, 397, relaxation of the persecution in, 399; proceedings against Lalor for exercising ecclesiastical jurisdiction in, 400, Chichester's efforts to reform the Church in, 401; Chichester's second progress through the North of, 402; opinion of the English Council that but few Englishmen should become colonists in, 406; extension of English rule in the South of, *ib.*, dispute between Tyrone and O'Cahan in, 409; conspiracy against the Government of, 412; flight of Tyrone and Tyrconnell from, 415; condition of the North of, after the flight of the Earls, 417; O'Dogherty's insurrection in, 424; the Tory Island massacre in, 430; proposed settlement of the North of, 432; results of the plantation of Ulster in, 441; money obtained by the sale of baronetcies for the expenses of, ii. 112; grievances felt in, 283; proposal to call a Parliament in, 284; new constituencies erected in, 285; dissatisfaction of the Catholics of, 286;

IRE

petition of the Lords of the Pale of, 287; protest of the Catholic lords of, 288; opening of the Parliament of, 289; tumult in the House of Commons of, 290; hearing by the King of a deputation from, 293; Commissioners sent to investigate the grievances of, 295; discontent of, 298; proceedings of the Parliament of, 299; grievances of the Parliament of, 301; dissolution of the Parliament of, 302; recall of Chichester from, *ib.*; extension, in consequence of the Spanish treaty, of the relaxation of the penal laws to, v. 99; St. John, Lord Deputy of, viii. 1; plantation of Wexford in, *ib.*; suspicions of the Celtic population of, 2, transportation to Virginia from, 5; difficulties of the English Government of, 6; Falkland, Lord Deputy of, 9; banishment of priests from, 10; excited feeling of the Catholics of, *ib.*; the priests again banished from, 11; bad payment of the army in, *ib.*; increase of the army in, 12; the first draft of the Graces offered to, 13; a contribution demanded from the nobility of, 14; meeting of an Assembly of the lords and representatives of, 15; refusal of the Assembly to contribute to the maintenance of soldiers in, 16; a contribution agreed to, by the agents of, 17; second draft of the Graces for, *ib.*; prospect of the meeting of the Parliament of, 18; sanguine feeling of the Catholics of, 19; case of the Byrnes of Wicklow in, 20; recall of Falkland from, 27; appointment of Loftus and Cork as Lords Justices of, *ib.*; Wentworth named Lord Deputy of, 28; condition of, at the time of Wentworth's appointment, 29; Wentworth's system of government in, 30; need of an army to Wentworth in, 31; prolongation of the contribution for a year in, 32; arrival of Wentworth in, 34; the contribution prolonged for another year in, 35; the army paid, and brought under discipline in, 37; the Privy Council in, *ib.*; piacy repressed, and trade encouraged in, 39; cloth manufacture discouraged in, *ib.*; the Government to retain the right of importing salt into, *ib.*; state of the Church in, 41; preparations for a Parliament in, 45; opening of Parliament in, 48; grant of six subsidies in, 50; resistance to Wentworth in the Parliament of, 51; Wentworth recovers the mastery over the Parliament of, 52; dissolution of the Parliament of, *ib.*; Convocation of, *ib.*; adoption of the English Articles by the Convocation of, 53; attempt to repress nonconformity in the North of, 54; English view of the proposed plantations in, 55; condition of the North of, 59; Wentworth's visit to Connaught in, 60; titles found for the King to lands in, 61; causes of Wentworth's failure in, 63; Charles approves of Wentworth's government of, 183; conduct of Mount-

IRE

norris in, 185; court-martial on Mountnorris in, 187. Wentworth's defence of his government of, 194; establishment of Wentworth's power in, 198; Wentworth's account of the improvement of the West of, 351; Wentworth's attack on the Chancellor of, ix. 71; Strafford returns to, 94; subsidies voted by the Parliament of, 95; an army to be levied in, 96; balance of parties shifted in the second session of the Parliament of, 155; alteration of the mode of rating for subsidies in, 156; preparation for gathering an army in, *ib.*; proposal of Strafford to drive the Scots out of the North of, 213; the Long Parliament takes into consideration Strafford's conduct in, 222; Pym's sketch of Strafford's administration in, 303; Pym's want of sympathy with the Celtic population of, 304; negotiations between the King and the Catholics of, 384; continuation of the King's negotiations with the Catholics of, x. 7; refusal of the English Parliament to allow the Spanish ambassador to levy soldiers in, 10; news reaches London of a rebellion in, 43; retrospect of the treatment of, *ib.*; Charles makes concessions to, 45; toleration demanded by the Catholics of, 46; Church question and land question in, 47; leaders of the Celtic population of, 48; plan formed for a rising in, 49; division between the Catholic lords and the leaders of the dispossessed natives of, 50; betrayal of the plot to the Lords Justices of, 51; weakness of the English army in, 54; seizure of conspirators in, *ib.*; rising in the North of, 53; the English Commons declare that unless the King makes his ministers responsible they will themselves provide for, 56; no general massacre in the North of, 64; atrocities committed in, 65; estimate of the number of murders in, 68; resolution of the English Commons to send an army to re-conquer, 69; proposal to send Scots at once to, 70; a larger Scottish force to be sent to, 71; progress of the rebellion in, 96; declaration of the English House of Commons that no toleration shall be granted in, 97; no toleration for any religion except that established by law in England to be granted to, 100; petition from Irish Protestants, setting forth the wretched state of, 103; alleged overtures from Charles and the Queen to the rebels in, 112; arrival of Lord Dillon in, *ib.*; proposed change of government in, and grant of toleration to, 113; refusal of the Catholic lords to obey the summons of the Lords Justices of, 114; cruelties of Coote's soldiers in, *ib.*; junction of the Lords of the Pale with the rebels of the North of, 115; revolt of the South of, 116; the King proposes to send volunteers to, 120; confidence of Charles that it cannot be pacified by anyone but himself, 172; troops sent to, and a scheme

IRU

of confiscation adopted for, 173; slaughter of the natives of, 174; Ormond's campaign in, *ib.*; miserable condition of, 175; the Royal assent given to a Bill for confiscation in, 176; Charles proposes to visit, 186; Charles abandons his plan of visiting, 203

Irish, arrival of Prince Charles at, v. 9

Isabella Clara Eugenia, the Infanta, her claim to the English throne, i. 78; receives the sovereignty of the Netherlands jointly with her husband, 104; becomes Governor of the Spanish Netherlands after her husband's death, iv. 209; does not expect that the Conferences at Brussels will produce a peace, 311; requests Chichester to negotiate an armistice, 316; despairs of obtaining peace in the Palatinate, 322; writes to Oñate to urge the Emperor to give up his design of transferring the Electorate, 323; writes to Philip in favour of a suspension of arms, 328; proposed surrender of Mannheim and Frankenthal to, 337; requires an assurance of peaceable conduct from Mansfeld and Christian, 343; informs Philip IV. that the Spanish troops cannot fight against the German Catholics, 386; does not favour the sequestration of Frankenthal, 399; proposal to deposit the Lower Palatinate in the hands of, v. 25; Frankenthal placed in the hands of, 74; offers to deliver Frankenthal to an English garrison, but refuses to guarantee the troops against attack, 274; asks the Dutch to make peace on condition of the opening of the Scheldt, 275; directs Rubens to propose a separate peace between England and Spain, and deplors the exhaustion of her treasury, vi. 162; encourages the French refugees, vii. 187; summons the States-General of the Spanish Netherlands, 220; death of, 346

JACATRA, victory of Dale at, iii. 179

Jägerndorf, the Margrave of, heads an army in Silesia, iv. 203

James I. (*King of England*, 1603-1625), (*King of Scotland*, 1567-1625), character of, i. 48; restores the jurisdiction of the bishops, 50; defeats the Northern Earls, *ib.*; negotiates with the ministers, 53; is insulted by Melville, 54; breaks with the clergy, 55; asks for fresh powers over the clergy, 57; summons Black before the Council, 58; exacts conditions from Huntly, 59; offers terms to the clergy, 60; banishes Black, 61; conduct of, during the tumult in Edinburgh, 63; leaves Edinburgh, 64; reduces Edinburgh to submission, 65; summons an assembly at Perth, 68; establishment of the authority of, 70; makes fresh efforts to obtain for the clergy a representation in Parliament, 71; speaks in the *Basilicon Doron* of his intention to restore episcopacy, 75;

JAM

urges the Assembly to allow the representatives of the clergy to be styled bishops, 70; appoints bishops, 77; maintains his claim to the English throne, *ib.*; is too eager to raise a party in England, 80; supports the candidature of Bishop Chisholm for the cardinalate, *ib.*; has his signature surreptitiously obtained to a letter to the Pope, 81; his views on toleration, 82; his secret correspondence with Cecil, 83; is proclaimed King of England, 84; hears of the death of Elizabeth, 86; leaves Scotland, 87; confides in Cecil, 91; receives an overture from Clement VIII., 97; his language to Thomas Percy, 99; his intentions about the Catholics, 100; recalls the monopolies, *ib.*; orders the collection of the recusancy fines, 101; is ready to make peace with Spain, *ib.*; requests Rosny not to appear in mourning for Elizabeth, 106; makes a treaty with France for the defence of the Netherlands, 107; promises to remit the recusancy fines, 115; coronation of, 126; receives fresh overtures from Clement VIII., 140; promises not to exact the recusancy fines, 141; is annoyed at the discovery that his wife has received presents from the Pope, 142; banishes the priests, 144; receives the millenary petition, 148; recommends the universities to support preaching ministers, 151; touches for the King's evil, 152; holds the Hampton Court Conference, 153; issues a proclamation defining the persons who are to be members of the House of Commons, 162; opens his first Parliament, 165; gives his opinion on the treatment of Puritans and Catholics, 166; enters into controversy with the Commons on Goodwin's case, 168; his title recognised by Act of Parliament, 170; answers the Commons' petition on purveyors, 173; presses the Commons to forward the union with Scotland, 176; wishes to be styled King of Great Britain, 177; thanks the Commons for naming Commissioners for the Union, 180; financial difficulties of, 186; pro-rogues Parliament and scolds the Commons, 190; causes of the misunderstanding between the Commons and, 193; orders the enforcement of conformity on the Puritans, 196; vacillation of, with regard to the Catholics, 201; is alarmed at the increase of the Catholics, 202; does not put in force the Act of 1604 against, 203; is asked to mediate between Spain and the Dutch, 206; prepares to open negotiations with Spain, 207; accepts a treaty with Spain, in which he refuses to abandon the Dutch, 209; swears to the treaty with Spain, 214; Spanish marriage proposed for the son of, 220; converses with the agent of the Duke of Lorraine on the Papal claims, *ib.*; appoints Commissioners to

JAM

banish the priests, 222; exacts the recusancy fines from wealthy Catholics, 224; is annoyed at a rumour that he means to change his religion, 226; resolves to put in force the penal laws against the Catholics, 227; informed of the Gunpowder Plot, 249; refuses to assent to the canons of 1606, 291; financial difficulties of, 293; promises to retrench, 296; reported murder of, 299; visit of the King of Denmark to, 300; wishes to forbid the meetings of the General Assembly of the Scottish Church, 303; appoints bishops in Scotland, 305; compels the Scottish ministers to submit to his authority, 309; summons Parliament in Scotland to enable him to endow the bishops, 316; imprisons Andrew Melville, 319; strives to have the bishops' authority accepted in Scotland, 320; proposes the appointment of constant Moderators, 321; causes of his success in Scotland, 322; addresses Parliament in favour of a union with Scotland, 328; orders the Commons to punish Pigott, 331; addresses Parliament on the question of naturalisation, 336; plots formed against, 344; receives Tyrone and Tyrconnell, 380; decides upon hearing the case of O'Cahan against Tyrone, 414; offers to economise, 11, 12; fails to reduce his expenditure, 14; entails the Crown lands, 15; banishes the priests, 16; wishes the Pope to excommunicate English rebels, 23; considers the expectations of the Dutch exorbitant, 24; offers a guarantee to the Dutch, 25; writes an *Apology for the Oath of Allegiance*, 26; contemplates a toleration for the Catholics, 30; is annoyed by the assertion that he had made overtures to the Pope, 31; orders Balmerino to be examined, 32; writes *A Premonition to all Monarchs*, 34; has an altercation with Coke, 38; interferes in Fuller's case, 39; loses his temper with Coke, 41; postpones a decision on the prohibitions, 42; disavows Cowell's *Interpreter*, 67; forbids the Commons to discuss his claim to impositions, 70; gives permission for the discussion, 72; promises to put in force the laws against recusants, 73; accepts the terms of the Commons on the Great Contract, 83; answers the grievances of the Commons, 84; resolves to intervene in Cleves, 96; obtains from the General Assembly an acknowledgment of Scottish episcopacy, 102; withdraws his claim to issue proclamations with the force of law, 104; asks the Commons whether they mean to go on with the Contract, 105; is dissatisfied with the Contract, 106; breaks off the Contract, 107; loses patience with the Commons, 109; dissolves his first Parliament, 120; grants money to his favourites, 111; his conduct towards Arabella Stuart, 113; his part in the burning of Legate and Wightman,

JAM

128; issues a proclamation for the apprehension of Lord Sanquhar, 132; wishes to marry his daughter to the Elector Palatine, 137; desires to marry the Prince of Wales to the Infanta Anne, 138; breaks off negotiations for a Spanish marriage, 139; consents to the marriage of his daughter with the Elector Palatine, 140; determines to dispense with a Secretary after Salisbury's death, 148; expects Zuñiga to ask for the Princess Elizabeth for the King of Spain, 151; proposes to marry Prince Henry to the Princess Christina, 154; thinks of appointing Sir H. Neville Secretary, 161; favours the alliance between the Union and the Dutch, 162; is at the head of a Protestant alliance, 163; ill-treatment of the recusants by, 164; brings about a marriage between the Earl of Essex and Lady Frances Howard, 166; favours Lady Essex in her suit for a divorce, 169; replies to Abbot's arguments, 172; his conduct in supporting the divorce, 173; proposes to Overbury a diplomatic employment, 177; imprisons Overbury, 178; increased financial difficulties of, 199; is advised to call another Parliament, 201; issues a proclamation against duels, 212; accepts money from Sutton's executors, 214; supports the making of the New River, 215; learns the secret of the Spanish pensions, 217; makes Somerset his sole confidant, 218; aim of the foreign policy of, 220; proposes to banish Donna Luisa de Carvajal, 222; releases her, 223; is desirous of carrying out Prince Charles's marriage with the Princess Christina, 22; decides on summoning Parliament, 227; appoints Winwood Secretary, 232; opens Parliament, 233; being angry with the Commons, consults Sarmiento, 247; dissolves the Addled Parliament, 248; imprisons members of Parliament, 249; complains of the Commons to Sarmiento, 251; proposes to take up the Spanish marriage, 252; a benevolence offered by the bishops to, 260; asks for a general benevolence, 261; orders that the judges shall be consulted separately in Peacham's case, 277; hears a deputation from the Irish Parliament, 293; sends commissioners to investigate Irish grievances, 295; decides against the Irish deputies, 296; recalls Chichester, 302; sends Wotton to negotiate the Treaty of Xanten, 307; fails to obtain the execution of it by the Dutch and the Spaniards, 308; continues to negotiate a marriage treaty with France, 314; thinks of carrying out the proposed alliance with Spain, 316; Somerset's favour with, 317; Villiers presented to, 26; expostulates with Somerset on his rudeness, 319; visits Cambridge, 320; assists the Duke of Savoy, 321; makes Villiers a Gentleman of the Bedchamber

JAM

323; is alarmed by the articles of the Spanish treaty, *ib.*; is afraid of assassination, 325; offers to accept the Spanish treaty, 326; refuses some of Somerset's requests, 327; remonstrates with Somerset, 328; orders Ellesmere to pass Somerset's pardon, 329; withdraws his order, 330; hears that Overbury has been murdered, 331; orders Coke to examine into the murder, 332; appoints a commission to conduct the examination, 334; sees Somerset for the last time, *ib.*, refuses to alter the course of investigation, 336; wishes to pardon Somerset, 349; is threatened by Somerset, 351; pardons the Countess of Somerset, 361; keeps Somerset a prisoner, but finally pardons him, 363; asks the Council how his finances can be brought into order, 364; assures Sarmiento that he wishes to go on with the marriage treaty, 368; wishes to summon Parliament, *ib.*; abandons the idea of calling a Parliament, 369; releases Raleigh, 381; enters upon a treaty for the sale of the cautionary towns, 382; attempts to support the cloth manufacture against the rivalry of the Dutch, 385; resolves to put an end to the French marriage treaty, 390; sends Hay to Paris, 391; gives up his requirement that Philip III. shall obtain the Pope's consent before the marriage treaty with Spain is opened, 392; sells peerages, 393; attempts in vain to obtain the execution of the Treaty of Xanten, 396; does not wish to desert the Dutch, 397; orders Coke not to give judgment on the effect of the writ *de rege inconsulto* till he has seen him, *iii.* 9; orders the judges not to proceed with the case of commendams, 14; replies to a letter of the judges, and summons the judges before him, 16; argues with Coke, 17; obtains from eleven judges a declaration of submission to his opinion, 19; addresses the judges in the Star Chamber, 21; suspends Coke, and decides in favour of Chancery in its dispute with the common law judges, 23; dismisses Coke, 25; view of the Spanish claim to Guiana taken by, 40; gives a commission to Raleigh, 42; supports Savoy against Spain, 50; is inclined to favour a proposed attack on Genoa, 51; abandons the project, 52; allows Raleigh to sail, 55; orders a list of Raleigh's vessels to be given to Sarmiento, 56; submits the marriage treaty to commissioners chosen from the Privy Council, 58; sends Digby to Madrid to open formally the negotiation for the marriage, 61; supports a proposal for an expedition against Algiers, 70; his relations with the Privy Council, 72; is unable to control his courtiers, 74; places patronage in Buckingham's hands, 75; receives a present from Yelverton, 80; sets out for Scotland, 82; finds fault with Bacon for

JAM

interfering with the marriage of Sir John Villiers, 94; receives Coke favourably, 95; compares Buckingham to the Apostle John, 98; is present at a feast at Hatton House, 100; refuses to assent to the terms on which the Spaniards offer to consent to the Infanta's marriage, 104; congratulates Louis XIII. on the murder of Ancre, 110; calls for evidence against Raleigh, 131; offers to send Raleigh to Spain, 132; orders the rioters who had attacked a steward of Gondomar to be punished, 136; directs Stukeley to act as a spy on Raleigh, 140; his responsibility for Raleigh's proceedings, 141; appoints commissioners to examine Raleigh, *ib.*; asks the commissioners how to dispose of Raleigh, 145; rejects the commissioners' proposal, 146; orders Raleigh's execution, 148; orders Bacon to draw up a declaration of Raleigh's proceedings, 152; speaks scornfully to Stukeley, 153; his views on the negotiation with the Dutch on the East India Trade, 172; claims rights over the herring fishery, 173; mediates between the English and Dutch East India Companies, 178; does not press the Dutch to make restitution to the English whale fishery, 179; drives young Monson from Court, 186; drinks the health of the Villiers family, 187; sends Lady Suffolk into the country, 188; detects Sara Swarton's perjuries, and sends for Lord Roos, 192; pronounces sentence in the Star Chamber on the Lakes, 193; is in want of money, 197; proposes to retrench, 198; orders the Countess of Buckingham to leave the Court, 208; sale of honours by, 214; his treatment of the Scottish Church, 220; presses ecclesiastical changes upon it, 221; proposes five articles, 222; directs alterations to be made in the chapel at Holyrood, 223; visits Scotland, 224; orders that the communion shall be received on the knees in his chapel, *ib.*; his relations with the Scottish nobility, 225; proposes an Act acknowledging his control over the external government of the Church, 226; recommends the adoption of the five articles, 228; threatens the ministers with the loss of their stipends if they refuse to adopt the articles, 233; threatens the Assembly of Perth, 235; finds the strict observance of the Sabbath enforced in Lancashire, 248; asks Morton for advice, 249; issues the Declaration of Sports, 251; calls Selden to account for his *History of Tithes*, 255; forbids Selden to reply to his accusers, 256; sends deputies to the Synod of Dort, 260; is asked to mediate in Bohemia, 279; accepts the mediation, 280; is urged by the Dutch to break with Spain, 281; refuses to quarrel with Spain, 282; renews his treaty with the Union, 285; receives Christopher Dohna, *ib.*; orders naval

JAM

preparations to be made to defend Venice, 287; orders an expedition to be sent to Algiers, 288; sends Doncaster to mediate in Bohemia, 289; sends Wake to Turin, 292; serious illness of, 295; writes verses on his wife's death, 29; visits London after his illness, 296; attempts to find a wife for Christopher Villiers, 29; gives instructions to Doncaster, 300; abandons the plan of sending an expedition to Algiers, 301; refuses to aid Frederick, 303; rejects a suggestion to go to war in defence of the Bohemians, 307; asks the advice of the Council whether he shall recommend Frederick to accept the Bohemian crown, 312; declares that he will postpone his decision, 313; sends Doncaster to congratulate the Emperor, 324; cannot resolve to help either side, 325; dissatisfaction felt at the hesitation of, 326; writes two religious tracts, 327; is asked to defend the Palatinate, 330; investigates Frederick's title to Bohemia, 331; does not give a positive reply to Gray's request to levy troops for Bohemia, 333; permits the levy, 334; sends to Denmark to borrow money for the Palatinate, 26; welcomes Gondomar's return, 336; receives Gondomar's explanations, 338; sanctions the levy of volunteers for the Palatinate, 339; refuses to give money to the German Union, 340; hears a sermon at Paul's Cross, 341; varying language of, 344; offers to write a letter to Philip III. containing engagements to show favour to the Catholics, 346; holds a double language with the Princes of the Union, 349; assures Gondomar that he will not help his son-in-law, 350; refuses to accept Dutch offers of co-operation, 352; is irritated by the news of Dutch outrages in the East, 353; agrees to Buckingham's proposal for the partition of the Netherlands, 360; is convinced that Spinola will not invade the Palatinate, 363; declares that his son-in-law can only be brought to reason by force, 365; is urged by the Dutch to defend the Palatinate, 366; refuses to break with Spain, 367; receives the news of the invasion of the Palatinate, 370; speaks impatiently to Gondomar, 371; declares that he will defend the Palatinate, 372; appoints a commission to prepare for a Parliament, 373; adheres to his resolution of sending a fleet against Algiers, 375; acknowledges that Gondomar had never said that Spinola would not invade the Palatinate, 376; rejects Bacon's draft of a proclamation for summoning Parliament, 379; summons Parliament, 381; receives the news of Frederick's defeat, 386; calls a Council of War, 388; refuses to enter upon a French marriage treaty, 26; repels the advances of Cadenet, 390; disgraces Naunton, 391; complains of disorderly alehouses, *iv.* 5; takes the

JAM

monopoly of gold and silver thread into his own hands, 16; recommends a plan for taking bonds, 17; opens his third Parliament, 25; holds a conversation with Gondomar on the reconciliation of the Churches, 27; thanks the Commons for granting supply, 33; defends his permission to Gondomar to export ordnance, 33; refuses to persecute the Catholics, 34; finds fault with the Commons for proceeding against the referees, 49; orders the Commons to refrain from business till the Subsidy Bill is passed, 50; proposes to refer Bacon's case to a new tribunal, 68; abandons his proposal, 71; addresses the Houses on the monopolies and Bacon's case, 83; rejects Buckingham's request for a dissolution of Parliament, 85; has an interview with Bacon, 88; is on good terms with Parliament, 108; asks for an additional supply, 109; is vexed at the condemnation of the patent for alehouses, 110; asks Parliament to punish Yelverton, 111; leaves Yelverton to the judgment of the Peers, 113; issues a proclamation against freedom of speech, 117; insists on the punishment of an apprentice who had attacked a Spaniard, 119; questions the jurisdiction of the Commons over Floyd, 121; leaves Floyd's case to the Lords, 123; directs the Houses to adjourn, 126; offers a prorogation, 127; orders the translation of the Commons' declaration for the defence of the Palatinate, 131; is reluctant to give the bishopric of St. David's to Laud, 138; refuses to blame Abbot for his unintentional homicide, 139; issues a proclamation against monopolies, 140; consents to the colonisation of New England by the Leyden Separatists, 155; loses time in his mediation in Germany, 183; complains of the behaviour of the Dutch in the East, 185; refuses to inform the Dutch of his intentions about the Palatinate, 186; inquires whether Philip IV. means to go on with the marriage treaty, 190; sends money to Frederick, 194; gives instructions to Digby for his mission to Vienna, 200; orders Frederick to submit to the Emperor, 214; wishes to break up the blockade of the Flemish ports, 225; receives Digby's report, 228; hastens the meeting of Parliament, and proposes fresh terms to the Emperor, 229; assures Gondomar that he need not fear Parliament, 230; orders the Commons to abstain from meddling with the Prince's marriage, 249; orders the ambassadors' stools for a deputation of the Commons, 252; refuses to admit the right of the Commons to discuss foreign affairs, 253; declares that the privileges of the Commons are held by his permission, 254; writes to explain his meaning, 259; destroys the protestation of the Commons, and resolves to dissolve Parliament, 265; imprisons the leaders of

JAM

the Commons, and dissolves Parliament, 207; falls into the New River, *ib.*; defends his conduct in dissolving Parliament, 268; consents to Gondomar's plan for breaking the blockade of the Flemish ports, 272; instructs Digby to propose to Spain a joint attack on the Netherlands, 273; orders Oxford to seize two Dutch ships, 274; imprisons the Earl of Oxford, 275; turns Wray out of the bed-chamber, 276; takes part in the conferences with Fisher, 280; welcomes De Dominis, 284; becomes dissatisfied with him, 285; is angry at the proposal of De Dominis to return to Rome, 286; sends Doncaster to mediate between Louis XIII. and the Protestants, 291; sends Doncaster again to France, and receives commissioners from Rochelle, 292; continued self-confidence of, 293; unpopularity of, 295; orders Paireus's *Commentaries* to be burnt, 297; gives directions to alter the mode of studying divinity at Oxford, 299; requires Frederick to renounce the crown of Bohemia, *ib.*; sends Weston to Brussels, 301; fails to obtain influence over the armies in Germany, 303; approves of Frederick's journey to the Palatinate, 309; insists on Frederick's consenting to a truce, 312; objects to the proposed assembly at Katisbon, 327; rejects a proposal made at Brussels for the sequestration of the towns in the Palatinate, 337; issues directions to preachers, 347; causes a reaction in favour of Puritanism, 349; sets free Catholic prisoners, *ib.*; liberates Coke, Phelps, and Mallory, 350; complains of the terms brought from Rome by Gage, 353; contrast between the words and actions of, 359; summons the King of Spain to obtain the restitution of Heidelberg, 371; writes to the Pope, 372; expects to obtain his objects with the aid of Spain, 373; sends fresh instructions to Bristol 374; refuses to summon Parliament, and asks the Prince of Orange to pay Mansfeld's troops, 375; refuses to allow Spanish ships to take refuge in English ports, 376; recalls Chichester, 383; accepts the articles of marriage as amended in Spain, 386; negotiates for the sequestration of Frankenthal, 399; asks Frederick to agree to the sequestration, 406; comparison between his religious and his commercial policy, 408; is acquainted with the Prince's wish to visit Spain, v. 2; consents to the journey, 3. regrets his decision, 4; gives a final permission, 5; sends Carlisle to Paris, 8; states his opinion on the Papal supremacy, 9; directs Charles and Buckingham to appear in the robes of the garter on St. George's Day, 34; sends chaplains to his son, 35; exhorts his son not to be ashamed of his religion, 36; asks Williams whether his son is likely to bring home the Infanta, 45; creates Buckingham a duke

JAM

54; hears that the dispensation is clogged with conditions, 55; sends full powers to his son, but regrets the necessity of building a chapel for the Infanta, 56; is distressed at hearing that the Infanta is not to accompany the Prince, 57; urges Charles to marry and come home, 58; despairs of seeing his son again, 59; objects to some of the articles of the marriage treaty, 64; replies to Williams's question whether he felt conscientious scruples about swearing to the treaty, 65; asks the Privy Councillors whether they can swear to the marriage treaty, 67; swears to the public articles, 68; takes an oath to the private articles, 69; explains the sense in which he understands the oath, 70; complains of the expense to which he is put by the delay in sending the Infanta, 73; opens negotiations for the sequestration of Frankenthal, and for a suspension of arms, *ib.*; engages that neither he nor his son-in-law shall disturb the peace of the Empire, 75; impracticability of his diplomacy, 76; proposes a joint English and Spanish attack on the Dutch Netherlands, 79; remonstrates with the Dutch for blockading Dunkirk vessels at Leith and Aberdeen, 80; determines to free the ports of Scotland from a Dutch blockade, 81; sends powers to Buckingham and Bristol to treat for a partition of the Dutch territory, 84; orders Captain Best to convoy the privateer at Leith to a Flemish port, 86; speaks in friendly terms of the Dutch, 88; orders Rutland to sail at once, 97; discusses with the Spanish ambassadors the mode of relaxing the penal laws, 98; agrees at Salisbury to a scheme in favour of the Catholics, 99; refuses to give way to the further demands of the ambassadors, 100; orders his son to return, *ib.*; signs the pardon and dispensation for the Catholics, 125; receives his son at Royston, 130; listens to a plan of the Spanish ambassadors for the pacification of Germany, 131; proposes to Frederick to marry his son to the Emperor's daughter, 132; is satisfied with Bristol's assurances that the Infanta will not take the veil, 134; but expects to hear that Philip will provide for the restitution of the Palatinate, 135; shrinks from making the restitution of the Palatinate an indispensable condition of his son's marriage, 141; orders Bristol to obtain an explicit declaration from Philip, and proposes that the Electoral Prince shall be educated in England, 145; acknowledges that he cannot expect Philip to take arms against the Emperor, 147; lays the Spanish terms before Frederick, 156; hesitates between peace and war, 157; directs the issue of writs for a Parliament, and recalls Bristol, 159; virtual end of his reign, 160; character of the policy of, *ib.*; is determined to regain the Palatinate, 173;

JAM

sends ambassadors to form an alliance, 174; agrees to send Kensington to Paris to talk about a French marriage, 175; fresh offers made by the Spanish ambassadors to, *ib.*; consults the commissioners for Spanish affairs, 176; refuses to give full information to the commissioners, 177; cannot decide whether to go to war or not, 180; refuses to agree to the education of the Electoral Prince at Munich, and refers the breach with Spain to Parliament, 181; proposes to send Coke and Sandys to Ireland, 182; opens Parliament with a request for advice, and explains his treatment of the Catholics, 183; refers the complaint of the Spanish ambassadors against Buckingham to Parliament, 188; disapproves of the Commons' petition against Spain, 192; accepts Rudyerd's four points and declares that he is anxious for the restitution of the Palatinate, 193; proposes to send aid to the German princes, 194; tells Carondelet that he is anxious to remain at peace with Spain, *ib.*; refuses to declare war immediately against Spain, 196; proposes a continental alliance for a war in Germany, 197; allows Buckingham and Charles to explain away his answer, 198; declares the treaties dissolved, 201; announces that he will be guided in his military operations by the advice of a Council of War, 202; informs Lafuente that he will not quarrel with Philip, if he will engage to support with arms a fair settlement in the Palatinate, 205; receives Dutch commissioners favourably, 206; sees Carondelet in private, 207; complains that his son is led astray by Buckingham, 208; sends a courier to Madrid to break off the treaties, but recalls him, 209; asks the Spanish ambassadors to make good their charges against the Duke, *ib.*; sends off a despatch announcing the breach of negotiations with Spain, 211; nature of Buckingham's influence over, 213; motives which led him to break off the negotiations, 214; engages to furnish men and money to Mansfeld, 222; receives Lafuente's complaints against Buckingham, 224; replies to the Commons' petition against the recusants, and confirms his son's engagement that the Catholics shall not benefit by the marriage treaty, 225; orders inquiry to be made into Inojosa's charges against Buckingham, 226; detains Inojosa in England, 228; warns Charles and Buckingham of the consequences of the impeachment of Middlesex, 231; places Bristol in confinement, 232; will not allow him to demand a trial in Parliament, 233; assents to the Monopoly Bill, *ib.*; criticises the Bills presented to him at the close of the session of 1624, 234; is satisfied with Bristol's replies, 236; forces the East India Company to pay 20,000*l.* to himself and Buckingham, 240; threatens

JEA

to take measures against the Dutch unless they do justice on the authors of the massacre of Amboyna, 243; refuses to see Inojosa before he leaves England, 244; refuses to allow the privileges of neutrality to Dunkirk privateers in the Downs, 245; refuses to head a religious war, 246; sends embassies to Denmark and Sweden, 247; draws back from the French marriage treaty, 253; agrees to write a letter promising relief to the Catholics, 254; refuses to sign an article in favour of the Catholics, 257; agrees to accept Richelieu's terms, 262; is obliged to prorogue Parliament, 263; disputes with Louis about Mansfeld's passage, 267; accepts the full demands of the French, 270; his mistake in thinking that he could regain the Palatinate without giving offence to Spain, 273; summons the Infanta Isabella to surrender the Palatinate, 274; objects to allow Mansfeld to take part in the relief of Breda, 276; gives explanations to the agent of the Infanta Isabella, 277; uses a stamp to ratify the marriage treaty, *ib.*; allows Mansfeld to march through Flanders, 280; is unwilling to allow Mansfeld to land in Holland, 281; talks of disbanding Mansfeld's troops, 286; prohibits Mansfeld from relieving Breda, 289; thinks that the demands of Gustavus are too high, 297; proposes a congress at the Hague, 298; adopts Christian's plan of operations, and asks Gustavus to co-operate, 299; wishes to make war economically, 300; is persuaded to lend ships for an attack on Genoa, 302; is ready to lend ships to be used against Rochelle, 305; rejects the condition which the Pope wishes to impose on the marriage of Henrietta Maria, 307; last illness of, 312; medicine administered by Lady Buckingham to, 313; death of, 314; character of, 315; is buried in the tomb of Henry VII., 316; charge brought against Buckingham of administering medicine to, *vi.* 101; orders given for the enforcement of the Articles of Perth by, *vii.* 274
 James, John, attempts to murder Heywood, *ix.* 239; Bill brought in for the punishment of, 240
 James, Prince, birth of, *vii.* 299; is created Duke of York, and is intended eventually to be Lord Admiral, 338; is brought to the King at York, *x.* 191; is sent to visit Hull, 192
 James, Richard, lends Dudley's paper of advice to St. John, *vii.* 139
 Jars, De, the Chevalier, theft of his correspondence, *vii.* 186; is imprisoned, 217; efforts of Henrietta Maria to obtain the liberation of, *viii.* 98; liberation of, 378
 Jask, station established by the East India Company at, *v.* 237
 Jeannin, Pierre, gives explanations to the English Commissioners, *ii.* 24

JEH

- Iehangir, the Emperor, Roe's embassy to, ii. 311
- Jermyn, Henry, carries Holland's challenge to Weston, vii. 218; seduces Eleanor Villiers, is sent to prison and forgiven, 339; disapproves the Queen's proposed visit to France, ix. 272; consults with Suckling on the Army Plot, 312; confers with Chudleigh, 314; has a conference with Percy and the officers, 316; rejection by Charles of the plan of, 317; sends Chudleigh to the Northern army, 324; escapes to France, 360; Henry Percy accuses, 386; is declared a traitor by the Commons, x. 2
- Jermyn, Sir Thomas, objects to a guard being placed at the door of the House of Commons, ix. 240; asks what treason Finch had committed, 246; brings a message from the Queen to the Commons, 273
- Jersey, imprisonment of Prynne in, viii. 233
- Jesuits, arrest at Clerkenwell of a party of, vi. 238; complaints made in the Commons of the lenient treatment of, vii. 57; are hostile to the Bishop of Chalcodon, viii. 131
- Jesus, Francisco de, engages in a theological discussion with Buckingham, v. 29
- Jewels, the Crown, resolution taken to pawn, vi. 7; are offered by Buckingham to the merchants of Amsterdam, 32; refusal of the merchants to take them in pledge, 59; reference made by Eliot to, 81; Charles carries from London, x. 156; are taken by the Queen to Holland, 168; sold or pawned by the Queen, 201
- Joachimi, Albert, takes alarm lest Buckingham intends to negotiate a separate peace between England and Spain, vi. 162; is informed by Portland that an attack on Dunkirk will be a breach of international law, vii. 373; proposes a compromise on the right of search, ix. 58
- John, the Archduke, his proposed marriage with the Infanta Maria, iii. 102
- John George (*Electeur of Saxony*, 1611), political opinions of, iii. 272; offers to mediate in Bohemia, 275; conduct of, after the death of Matthias, 291; negotiates with Maximilian, 321; promises to attack Lusatia and Silesia, 367; occupies Silesia, 387; hesitates as to the conduct to be pursued after the battle of Prague, iv. 174; refuses to help Frederick to recover Bohemia, 176; refuses to attend the Assembly of Ratisbon, 205; pleads for Frederick, but, on hearing of his behaviour at Darmstadt, approves of the transference of the Electorate, 315; protests against the expulsion of the Lutheran clergy from Bohemia, 400; jeers at the King of France, v. 260; furthers the advance of Gustavus, vii. 179; offers to support the

JUD

- Emperor if he will modify the Edict of Restitution, 180, takes part with Gustavus at Breitenfeld, 188; signs the Peace of Prague, 388
- Johnson, Francis, conduct of, as a Separatist minister in Amsterdam, iv. 145
- Johnson, Margaret, acknowledges herself to be a witch, vii. 324
- Johnston, Archibald, of Warriston, reports the movements of the Council in Edinburgh to the opponents of Charles, viii. 322; reads a protestation at Stirling, 328; takes part in drawing up the Covenant, 330; is chosen Clerk of the Assembly of Glasgow, 369; advocates the holding of a session of Parliament in defiance of the King's order for a prorogation, ix. 150; writes to Savile to ask for an understanding with the English peers, 178; discovers Savile's treachery, 210
- Jones, Inigo, is the architect of the new banqueting-house at Whitehall, iii. 297; prepares houses for the reception of the Infanta, v. 55; is the architect of the western portico of St. Paul's, vii. 308
- Jones, William (*Justice of the Common Pleas*, 1621; *of the King's Bench*, 1624-1640), is startled by the strength of the defence in the five knights' case, vi. 215; gives judgment in the case of ship-money, viii. 279
- Jonson, Ben, writes lines on Bacon's birthday, iii. 393; verses on Buckingham's murder assigned to, vi. 354; Falkland's appreciation of, viii. 257; death of, 258
- Joseph, Father, expresses to Leicester his distrust of Charles, viii. 162
- Jourdain, John, attempts to open trade with the Spice Islands, iii. 165
- Judges, the, naturalise the post-nati, i. 356; relations of the Crown with, ii. 6; opinion of, on Fuller's case, 40; conference with, on the subject of prohibitions, 41; oppose the High Commission in Chauncey's case, 122; are consulted separately in Peacham's case, 277; views of Coke and Bacon on the constitutional position of, iii. 1; protest of, against the King's order to delay the case of commendams, 15; are summoned before the King, 16; discussion on the oath taken by, 17; submit to the King, 18; refuse to acknowledge the legality of the forced loan, vi. 149; position intended by Wentworth to be occupied by, 267; questions on the Petition of Right put by the King to, 294; the interpretation of the law acknowledged by Charles to lie with, vii. 2; are consulted on the case of the imprisoned members of Parliament, 90; question of the jurisdiction of the Star Chamber over members of Parliament referred to, 92; inform the King that it is their duty to bail the members of Parliament, 94; are forced to submit to the King, 112; jurisdiction over members of Parliament assumed by,

JUL

- 117, their relation to the Crown, 123; freedom from corruption, but political dependence of, 361; give an opinion on the legality of ship-money, viii. 84; are consulted by Charles on the legality of ship-money, 206; give a favourable answer, 208; political position of, 16; Hampden's case argued before, 271; are to hold office during good behaviour, iv. 263; declare Strafford to have been guilty of treason, 365
- Juliers, seized by the Archduke Leopold, ii. 94; retaken, 100; occupied by the Brandenburg party, 263; taken by the Spaniards, iv. 341
- Junto, the. *See* Committee of the Privy Council for Scottish affairs, the
- Justices of the Peace, dismissal of, vi. 125
- Jutland, overrun by the Imperialists, vi. 290
- Juxon, William (*Bishop of London*, 1633), becomes Bishop of London, vii. 313; becomes Lord Treasurer, viii. 141; his conduct at the Treasury, 142; holds aloof from Panzani, 143; attempts to reconcile Laud and Windebank, 149; discovers a quarry which produces marble for St. John's, 151; takes part in the revision of the Scottish canons, 309; is ready to surrender the Treasurership, ix. 260; gives evidence that he does not remember hearing Strafford propose to bring over the Irish army, 321

KESLE, John, his opinion on churches in Scotland, viii. 308

Kelso, Holland marches against the Scottish troops at, ix. 27; urges Charles to refuse his assent to the Bill of Attainder, 365; resumes the Treasurership, 374

Kennedy, Sir John, his gift to Bacon, iv. 96

Kensington, Viscount, 1622-1624 (Henry Rich), sent to Paris to pave the way for a French marriage, v. 215; welcomed by Mary de Medicis and Henrietta Maria, 216; falls under the influence of the French Court, and attempts to remove Charles's objections to a marriage treaty without a preceding league, 217; is asked by La Vieuville to return to England, 253; brings back to Paris news that James has accepted La Vieuville's proposal, 254; appeals to the Queen Mother, 256; enters into secret communications with Richelieu, 259; is created Earl of Holland, 263. *See* Holland, Earl of

Kent, refusal of pressed men to leave, iv. 133; the levy of soldiers resisted in, 160; petition against episcopacy signed in, 266

Kentish petition, the, demands made in, x. 179; four of the signers of, sent for by the Commons, 181; is presented to the Commons, 194; imprisonment of two of the gentlemen who present it, 16.

KIN

Ker, Lord (Harry Ker), challenges Hamilton, but is forced to apologise, x. 20; brings armed men to Parliament, 21

Keyes, Robert. *See* Gunpowder Plot

Keymis, Lawrence, gives evidence at Raleigh's trial, i. 132; takes part as a commissioner in the survey of the Sherborne estate, ii. 46; his voyage to Guiana, 377; hears of a gold mine, 378; Raleigh wishes to send back to Guiana, 380; Raleigh sends up the Orinoco, iii. 119; ascends the Orinoco, 121; takes San Thomé, 123; fails to reach the mine, 124; returns to Raleigh, 125; commits suicide, 126

Khevenhuller, Count of, urges the Spanish Government to invade the Palatinate, iii. 329; proposes a marriage between the Archduke Ferdinand and the Infanta Maria, 377; is instructed to inform the Spanish Government of the Emperor's resolution to transfer the Palatine Electorate, iv. 377; is asked by Olivares to propose a marriage between Prince Charles and the Emperor's daughter, v. 61; is threatened by Buckingham, 94

Kilkenny, mass celebrated at, i. 369; submits to Mountjoy, 370

Killigrew, Sir William, is sent to rouse the members of the Inns of Court to join the King, x. 134

Killigrew, Henry, recommends that the House of Commons should inquire what were the opinions of the constituencies, x. 184; answers a demand for a horse for the service of Parliament, 201

Killigrew, Sir Robert, advises that the question of giving supply be not put, v. 429

Kilt, the, worn by the Highlanders, ix. 28

Kilvert, Richard, brings charges against Williams and Pregon, viii. 251; attacks the Vintners' Company, 287

Kimbolton, Lord. *See* Mandeville, Viscount

Kineill, Hamilton, Argyle, and Lanark take refuge at, x. 25

King, Captain, assists Raleigh in his attempt to escape, iii. 138

King, John (*Bishop of London*, 1611-1621), is a commissioner in the Essex divorce case, iii. 170; attempts to induce Weston to plead, 340

King, Sir Robert, reports that alarming words had been used by Radcliffe, ix. 234

King's Bench, the Court of, case of the five knights in, vi. 214; admits Chamber to bail, vii. 5; bail demanded for the imprisoned members of Parliament in, 92; submits to the refusal of the King to produce the imprisoned members of Parliament, 95; Charles's conduct to the judges of, 96; discussion by the judges of, on the terms on which bail is to be offered to the imprisoned members, 107; refusal of the members to give a bond for good behaviour in, 110; information against

KIN

- Eliot, Holles, and Valentine in, 111; proceedings against Eliot, Holles, and Valentine in, 115; fines imposed on the defendants in, 117; issues prohibitions against the Council of the North, 238; attempt of Chambers to obtain a decision on the legality of ship-money from, viii. 103; the Massachusetts Charter declared null and void by, 167; shows uneasiness in continuing its support to the Crown, ix. 167
- King's evil, the, James touches for, i. 152
- Kingston, alleged intention of Lunsford to seize the magazine of arms at, x. 154; dispersal of the Cavaliers at, 158
- Kinloss, Lord, 1602-1611 (Edward Bruce), appointed Master of the Rolls, i. 95
- Kinnoul, Earl of, 1633-1634 (George Hay), refuses to allow Spottiswoode to take precedence of him, vii. 208; death of, 16
- Kirk, Captain, seizes Port Royal and storms Quebec, vii. 155
- Kirton, Edward, asks for the discovery of the King's enemies, vi. 305; declares that the root of all mischief is in the ambition of the clergy, vii. 35; complains of the information in the Star Chamber against the merchants who refused to pay tonnage and poundage, 59; expresses admiration of Eliot, 121; speaks against the Scots, ix. 29; informs the House that Digby has been created a peer, 386; charges Venn with sending or armed citizens, x. 86
- Knewstubs, John, takes part in the Hampton Court Conference, i. 153
- Knight, John, is imprisoned for preaching that it is lawful for subjects to take arms against their sovereign, iv. 297
- Knighthood fines, compositions for, vii. 107; their legality questioned by the sheriff of Yorkshire, 232; vindicated by Wentworth, 233; Selden brings in a Bill for the abolition of, ix. 383; the Royal assent given to the Bill for the abolition of, 417
- Knight-service, tenants by, are ordered to follow the King to the field, ix. 188
- Knightly, Sir Valentine, reprimanded by the Council, i. 299
- Knollys, Lord, 1603-1616 (William Knollys), supports Essex in resisting his wife's suit for a divorce, ii. 169; puts down names of subscribers to the benevolence without their knowledge, 265. *See* Wallingford, Viscount
- Knott, Edward (pseudonym), writes *Charity Mistaken*, and replies to Dr. Potter, viii. 260; comments on Chillingworth's intention to reply to him, 261
- Knox, John, his views on Church government, i. 45
- Krempe, is defended by the Danes, vi. 290; Morgan is sent to the relief of, 306; surrendered of, 372
- Kreutzmach, surrenders to Spinola. iii. 369

LAR

- LA CHESNÉE, visits Raleigh, iii. 159, is examined by the Council and imprisoned, 113
- Ladensium* αυτοκατάκρισις, published by Bailie, ix. 140
- Lady Mora, the, viii. 68, her waiting maid, 77
- Laliente, Fray Diego de, is sent to England to assure James that the marriage treaty will be proceeded with, iii. 279; is sent to Rome to obtain the dispensation, 378; carries on negotiations at Rome, iv. 230; reconciles Cottington to the Church of Rome, v. 102; is attacked near Amiens, 204; his interview with James, 205; complains of Buckingham to James, 208; complains of Buckingham's conduct in Spain, 224
- Lake, Arthur, attacks Lord Roos, iii. 190
- Lake, Lady, condemned to fine and imprisonment, iii. 193
- Lake, Sir Thomas, is a candidate for the Secretaryship after Salisbury's death, ii. 147; reads the contract at the betrothal of the Princess Elizabeth, 160, is supported by the Howards, 231; his opinion on the preparation for a Parliament, 364; is appointed Secretary, 369; is threatened with disgrace, 188; supports his daughter in her quarrel with Lady Exeter, 192; is sentenced to fine and imprisonment, 193; is forced to resign office, 194; Gondomar pleads for, 319
- Lalor, Robert, tried for exercising ecclesiastical jurisdiction in Ireland, i. 400
- Lambe, Dr., murder of, vi. 319
- Lambert, Moy, seizes a ship in Cowes Roads, v. 81
- Lambeth, changes effected by Laud in the chapel at, vii. 308; riots at, ix. 133
- Lane Giles, his hallings*, is written by Prynn, vii. 247
- Lanark, Earl of, 1639 (William Hamilton), is ordered to inform the Scots that the King has summoned the Great Council, ix. 201; attaches himself to Argyle, and is named by Charles to retain the Secretaryship, x. 20; pleads for his brother, 22; takes flight from Edinburgh, 25
- Lancashire, contest on the observance of the Sabbath in, iii. 248; issue of the *Declaration of Sports* in, 251; assessment of ship-money in, 92
- Lancashire witches, the, vii. 323
- Lancastrian kings, i. 4
- Landguard Fort, repairs ordered for, vi. 8
- Lane, Richard, is imprisoned by the High Commission, vii. 252
- Langres, Hercules, gives information to the Commons of the King's approach, x. 137
- Lanzarote, Raleigh's proceedings at, iii. 113
- Laphorne, Anthony, omits part of the service, viii. 111; reviles his congregation and his neighbours, 112
- Large Declaration, The*, publication of, viii. 391

LAT

Latitudinarianism, influence of, viii. 267
 Laud, William (*Bishop of St. David*, 1621; *of Bath and Wells*, 1626, *of London*, 1628, *Archbishop of Canterbury*, 1633), character and opinions of, ii. 124, is elected President of St. John's, 127, opinions of, iii. 244; becomes Dean of Gloucester, *ib.*; alters the position of the communion-table at Gloucester, 246, becomes Bishop of St. David's, iv. 138; refuses to be consecrated by Abbot, 139, holds conferences with Fisher, 281, is treated by Buckingham as a confessor, *ib.*; opinions of, on religious liberty, 282; character of the religious movement in which he partakes, v. 356; gains Charles's ear, 363; draws up an O and P list, 364, declares that Montague's opinions are not condemned by the Church, 401; preaches at the opening of Charles's second Parliament, vi. 63; his devotion to Charles, 64; reports in favour of Montague's book, *ib.*; helps Buckingham in his defence, 116; view taken of the Royal authority by, 204; political theories of, 205, remonstrates against licensing Manwaring's sermons, 209, preaches at the opening of the Parliament of 1628, 230; becomes Bishop of London, 330, advises the re-issue of the substance of the King's proclamation for the unity of the Church, vii. 20; comments on the resolutions of the Commons on the Articles, 123, writes to Vossius on the intolerance of the Commons, 124; his views on toleration, and on the beauty of holiness, 125; his attention to dreams and omens, 126; respects the Royal supremacy, 127, his unpopularity in London, 128; is appealed to on behalf of Cosin, 129; forbids Dr. Brooke to publish a controversial book, 132; is elected Chancellor of the University of Oxford, 133; enforces discipline, 134; is pleased at the birth of an heir to the Crown, 142; baptizes Prince Charles, 143; defends episcopacy in his speech against Leighton in the Star Chamber, 150; becomes intimate with Wentworth, 152; authority of, in Oxford and London, 241; enforces bowing in church, and consecrates St. Catherine Cree, 242; urges the collection of money for the repair of St. Paul's, 245; encourages Page to write against Prynne, and enforces the King's declaration at Oxford, 248; attempts to enforce conformity, but is not spiteful in doing so, 249; his respect for legality, 250; urges the punishment of Sir Giles Alington, 251; is pleased at the arrest of a congregation of Separatists, 252; votes for a heavy sentence in Sheffield's case, 257; attacks the feoffees for impropriations, 258; is consulted on the Prayer-book prepared by the Scottish bishops, 282; thinks that the English Prayer-book ought to be introduced into Scotland, 283; accompanies Charles to Edinburgh, 285;

LAU

preaches at Holyrood on conformity, 289; tells Charles that he must not execute Balmeino, 296; becomes Archbishop of Canterbury, 299; offer of a cardinal's hat to, 301; want of imaginative sympathy in the mind of, *ib.*; his conduct in the cases of Ludowick Bowyer and Lady Eleanor Davies, 302; his harshness, 303, is directed to restrict ordination, *ib.*; and to bring lecturers and chaplains to order, 304, objects to power being given to laymen to appoint or dismiss ministers, 305, his view on the Royal authority over the Church, 306; takes an interest in the repairs at St. Paul's, 307; makes changes in the chapel at Lambeth, 308; speaks in favour of placing the communion-table at St. Gregory's at the east end, 311; promotion of bishops favoured by, 313; does not wish to interfere with foreign churches, 314; wishes to bring to conformity English churches on the Continent, 315; urges the use of the Prayer-book by the English regiments in the Dutch service, 316, hears that a large number of Puritans are emigrating to New England, 317; finds fault with Chief Justice Richardson, and makes inquiry as to the feeling in Somerset about the wakes, 320; his speech at the sentence on Prynne for the *Histriomastix*, 332; objects to depriving Prynne of pen and ink, 334; is without female admirers, 340, brings charges against Portland, 355, informs Charles that Portland does not answer Wentworth's letters, 356; becomes a Commissioner of the Treasury, 379, advocates the policy of Thorough, viii. 67, his conversation with Hyde, 68; conduct of, on the Treasury Commission, 69; quarrels with Cottington about the soap monopoly, 71; quarrels with Windebank, 76; is energetic in looking for new sources of revenue, *ib.*; opposes the enclosure of Richmond Park, 87; complains of the selfishness prevalent at Court, 89, takes part in the Star Chamber against Bagg, *ib.*; his wish to make men equal before the law, 106; claims the right of metropolitical visitation, 107; sends Sir Nathaniel Brent as his Vicar-General, 108; his superstitious reverence for legality, 113; orders the removal of communion-tables to the east end, 114; unsympathising nature of, 117; brings his authority to bear on the foreign churches in England, 120; treats rich and poor on an equality, 122; is thought to wish to place England at the feet of the Pope, 127; tells the King that if he wishes to go to Rome the Pope will not meet him, 138; recovers influence with Charles, 140; exults over the appointment of Juxon as Treasurer, 141; holds aloof from Panzani, 143; is not sure of the King, 144; decision that the right of visiting the Universities belongs to, 147, refuses to be reconciled to Windebank,

LAU

149; Hyde expostulates with, *ib.*; his reception at Oxford, 150; accompanies the King at Oxford, 151; is an advocate of peace, 164; shrinks from toleration, 166; is placed on a commission for regulating the colonies, 167; warns Wentworth of the danger of exciting enemies at Court, 184; comments on the proposal to send the Elector Palatine to sea, 210; is attacked by the unlicensed press, 226; defends his conduct in a speech at the trial of Prynne, Bastwick, and Burton, 229; his views on episcopal jurisdiction, 230; complains that the prisoners are allowed to speak to the people from the pillory, 232; libels against, 234; wishes to execute the laws against the Catholics, 235; urges Charles to allow proceedings to be taken against Walter Montague, 239; proposes that the chapels of the Queen and of the ambassadors shall be closed against English Catholics, 240; triumph of Henrietta Maria over, 241; regrets Charles's determination to pardon Williams, 252; helps Chillingworth to return to the Church of England, 259; his views compared with those of Chillingworth, 260; is supposed to have instigated Chillingworth to write *The Religion of Protestants*, 261; his interview with Charles, 267; insists on the full payment of tithes due to the City clergy, 290; remarks on the deformation of the Scottish churches, 306; takes part in the revision of the new Prayer-book and canons for Scotland, 309; urges the King to insist on the adoption of the Prayer-book, 317; Archie Armstrong flogged for railing at, 335; blame of the troubles of Scotland thrown on, 335; dislikes the Queen Mother's visit, 380; publication of his *Conference with Fisher*, 390; takes a despondent view of Scottish affairs, ix. 47; supports Wentworth's proposal to summon a Parliament, 75; his report of the state of the Church in 1639, 79; acknowledges that he cannot suppress the Separatists and Anabaptists in his own diocese, 81; asks the Lords to adjourn on account of the sitting of Convocation, 100; instigates Hall to publish his *Episcopacy by Divine Right*, 107; says that it is lawful for the King to take the supply which the Commons have denied him, 122; riots directed against, 133; a party of lawyers drinks confusion to, 136; Baillie's attack on, 140; objects to the continuance of Convocation after the dissolution of Parliament, 142; suspends Bishop Goodman, 147; protests that Charles is far from Popery, 148; is ordered to suspend the Etcetera Oath, 188; wishes the Star Chamber to punish the mob which had broken into the High Commission Court, 215; proposal to impeach, 226; impeachment of, 249; Articles voted against, 296; is sent to the Tower, 297;

LEI

gives his last blessing to Strafford, 369; is amused by a caricature of Williams, x. 125
 Lawes, Henry, instigates Milton to write the *Comus*, vii. 335
 Lay preachers, offence given by, ix. 394, are reproved by the House of Commons, 395; encouraged by the Separatists, x. 29
 Layton, Sir Thomas, is summoned before the Council of the North, for resisting Wentworth's authority, vii. 232
 League, the Catholic, formation of, ii. 92 reconstruction of, iii. 321; agrees to the treaty of Ulm, 364
 Lech, defeat of Tilly on the, vii. 197
 Le Clerc invites Raleigh to take refuge in France, iii. 139; visits Raleigh, 140, is obliged to leave the kingdom, 144
 Lecturers, the, position in the Church of, vii. 130, are forbidden to preach unless they first read the service, 131; attempt made to cut short the supply of, 304; order of the Commons on the establishment of, x. 16
 Legate, Bartholomew, convicted of heresy, ii. 128; burnt, 130
 Legg, Captain, is entrusted with a petition to be signed in the army, ix. 398; evidence given to the Commons on the mission of, x. 73; is sent to secure Hull for the King, 152; is refused permission to bring troops into Hull, 159
 Leicester, arrangement for the position of the communion-table in a church at, vii. 309; failure of Hastings to seize the magazine of arms in, x. 206, Charles fails to obtain support in, 214
 Leicester, 1st Earl of, 1618-1626 (Robert Sydney), is a member of the Council of War, iii. 388
 Leicester, 2nd Earl of, 1626 (Robert Sydney), is ordered to negotiate in France, viii. 161; finds it difficult to carry out Charles's instructions, 162; is friendly to France, 163; is a candidate for the Secretaryship, ix. 85; is appointed Lord-Lieutenant of Ireland, x. 47
 Leicestershire, opinion of the electors of, on the Great Contract, ii. 87; prepares to send reinforcements to the Northern army, ix. 204; proceedings of Hastings in, x. 205; return of Hastings to, 208; Parliamentary troops despatched to, *ib.*
 Leigh, Captain, his voyage to Guiana, ii. 378
 Leighton, Alexander, early life of, vii. 143; writes *Sion's Plea against Prelacy*, 144; is arrested, 145; character of the opinions of, *ib.*; is brought before the Star Chamber, 147; sentence on, 148; is degraded by the High Commission, 150; execution of the sentence of the Star Chamber on, 151; attends Gouge's preaching, 260; the Commons order the liberation of, ix. 236; the Commons vote reparation to, 298

LEI

- Leinster, condition of, after James's accession, i. 378
- Leipzig, battle of. *See* Breitenfeld
- Leith, a Dunkirk privateer takes refuge in, v. 79; some of the houses of, struck by balls from a Dutch vessel, 80; attack by the Dutch on a privateer at 82, warlike munitions landed at, viii. 342; fortification of, ix. 13
- Leitrim, settlement of, viii. 1
- Lennox, Duke of, 1583 (*Earl of Richmond*, 1613-1624; *Duke of Richmond*, 1623-1624) (Ludovick Stuart), is created Earl of Richmond, ii. 242; votes against conferring with the Commons on impositions, 16; is favourable to the French marriage, 391; opposes a proposal to deprive Bacon of his peerage, iv. 102; offers to buy York House, 278; is created Duke of Richmond, v. 55; votes against war with Spain, 178; is sent by Charles to assure James that war with Spain is necessary, 180; death of, 182
- Lennox, Duke of, 1624 (James Stuart), takes Portland's part, vii. 355; brings Buckingham's widow to Court, 356; supports Williams, viii. 253; speech falsely attributed to, 367; is created Duke of Richmond, ix. 416. *See* Lennox and Richmond, Duke of
- Lennox and Richmond, Duke of, 1641 (James Stuart), accompanies the King to Scotland, x. 3; becomes Lord High Steward, 94; is reprimanded for asking for an adjournment for six months, 160. *See* Lennox, Duke of
- Lent, proclamation for the observance of abstinence in, vii. 162
- Lenthall, William, is chosen Speaker in the Long Parliament, ix. 220; expects to be killed in a riot in the House, 385; replies to the King's demand for the five members, x. 140
- Leonard, the Indian, does not forget Raleigh, ii. 379
- Leopold, the Archduke, seizes Juhers, ii. 94; besieges Hagenu, iv. 310; makes head against Mansfeld, 338
- Lepton and Goldsmith, affair of, iv. 240
- Lerna, Duke of, favours a policy of peace, 101; proposes to substitute influence for conquest, 205; offers the Infanta Maria to Prince Henry instead of the Infanta Anne, ii. 138; declares that the Prince will be expected to become a Catholic, 141; keeps on foot the negotiation for the Infanta's marriage, iii. 106; is driven from power, 278
- Lesdiguières, Marshal, proposes to employ English and Dutch ships against Genoa, v. 302; wishes for peace with the Huguenots, 391
- Leslie, Alexander, early life of, viii. 388; becomes General of the Scottish army, 389; accompanies Montrose to Aberdeen, ix. 3; posts himself at Dunglas, 21; marches towards the Border, 29; occupies Dunse Law, 30; Bailie's descrip-

LIN

- tion of the influence exercised by, 31; suggests the sending of a Scottish force to the Palatinate, 42; begins to collect an army for the invasion of England, 169; takes up his post at Choicelee Wood, 180; routs Conway at Newburn, 194; is popular in the North of England, 197; offers his service to Charles, and returns to Scotland, x. 6; is believed by Charles to be devoted to him, 19; is informed of the project for seizing Argyle and Hamilton, 25; is created Earl of Leven, 81
- Letter-post, the institution of, viii. 292
- Levant Company, the, financial history of, ii. 2
- Ley, Lord, 1625-1626 (James Ley), is appointed a member of the committee for foreign affairs, v. 323; financial statement by, 421; is created Earl of Marlborough, vi. 50. *See* Ley, Sir James; Marlborough, Earl of
- Ley, Sir James, goes on the first circuit in Wicklow, i. 406; becomes Chief Justice of England, iv. 421; is created Lord Ley, v. 310. *See* Ley, Lord; Marlborough, Earl of
- Leyden, Separatist congregation in, iv. 151; Alexander Leighton at, vii. 143; remarks made on the English Prayer-book by the professors of, 316
- Liberty of Speech in Parliament, report of a committee on, iv. 30; proclamation against, 117; discussed in the House of Commons, 233; precedents concerning, 256
- Lifford, reserved for a colony by Chichester, i. 387; holds out against O'Dogheity, 426
- Lilburne, John, is charged with printing Puritan books at Rotterdam, viii. 248; is sentenced in the Star Chamber, 249; harsh imprisonment of, 26; the Commons order the liberation of, ix. 236; the Commons vote reparation to, 298
- Limerick, mass said at, i. 369; is secured by Wilmot, 370; Wentworth's visit to, viii. 351
- Lincoln, Charles encourages resistance to the Militia Ordinance at, x. 212
- Lincoln, Earl of, 1619 (Theophilus Clinton), refuses to pay the forced loan, vi. 150; is sent to the Tower, 156; is restored to his seat in Parliament at the instance of the Lords, 231; visits Eliot in the Tower, vii. 81
- Lincolnshire, resistance to the forced loan in, vi. 155; fresh effort to obtain payment in, 156; drainage of fens in, viii. 294; holds back from sending reinforcements to the Northern army, ix. 204; Charles finds support amongst the gentlemen of, x. 212
- Lincoln's Inn, preachers at, vi. 13
- Lindsay, David (*Bishop of Brechin*, 1619; *Bishop of Edinburgh*, 1635), approves of the introduction of the English Prayer-book into Scotland, vii. 290; attempts to

LIN

- still the tumult at St Giles', viii. 314; saves his life with difficulty, 315
- Lindsay of Balcarres, John (*Lord of Ses-sion*), proposes that the clergy shall be represented in the Scottish Parliament, i. 66
- Lindsay of Byres, Lord, 1616, created Earl of Lindsay, 1633, but the patent suspended till 1635 (John Lindsay), visits Charles at Berwick, ix. 47, is vouched by Montrose as his authority for alleging that Argyle proposed to depose the King, 396
- Lindsay, Sir James, is employed by the Pope to carry a message to James, i. 97; is sent by James to Rome, 224
- Lindsell, Augustine (*Bishop of Peterborough*), becomes Bishop of Peterborough, vii. 314
- Lindsey, Earl of, 1626 (Robert Bertie), commands the fleet after Buckingham's murder, vi. 363; fails to relieve Rochelle, 364; receives instructions as commander of the first ship-money fleet, 383, convoys vessels to Dunkirk, and sails down Channel, 384; finds no enemy, 385; bad state of the provisions on board the fleet of, 388; end of the employment of, 390; convoys Spanish vessels to Dunkirk, viii. 156; is sent to command at Berwick, 385; the King offers the Commons a guard commanded by, x. 134; is made General of the King's army, 211. *See* Willoughby de Eresby, Lord
- Linlithgow, Charles orders the removal of the Council and the Court of Session to, viii. 321; proclamation of Charles read at, 326
- Lisle, Viscount, 1605-1618 (Robert Sydney), created Earl of Leicester, iii. 215. *See* Leicester, Earl of
- Little Gidding, community established by Nicholas Ferrar at, vii. 263
- Liverius, Statute of, enforced by Henry VII., i. 5
- Lodgers, householders prohibited from taking, viii. 289
- Loan, the forced. *See* Forced loan, the
- Loftus of Ely, Viscount, 1622 (*Lord Chancellor of Ireland*), charges brought by Falkland against, viii. 20; is appointed a member of the Commission of Investigation into the case of the Byrnes, 23; is one of the Lords Justices, 27, gives Wentworth a lukewarm support, 37; Wentworth takes the Great Seal from, 71; is to be prosecuted in the Star Chamber, 72
- Loftus, Sir Adam, gives money to the King, and becomes Vice-Treasurer of Ireland, viii. 194
- Loix, Isle of, defeat of Buckingham's forces in retreating to the, vi. 197
- London, City of, greatness of the trade of, i. 179; feeling in favour of the Dutch in, 214; attack of the mob of, on Gondomar's servant, iii. 135; ends money to James, 197; contest for the Recordship of,

LON

216; James's visit to, after his illness, 296; attempt to raise a loan for Frederick in, 332; attempt to raise a loan for the Palatinate in, 340; is urged to contribute to the repair of St. Paul's, 347; is asked by James to contribute to the Palatinate, 342; offers a voluntary subscription, 343; outbreak of the plague in, v. 337; refuses to lend to Charles, vi. 124; resists the requisition of ships for Willoughby's fleet, but is obliged to fit them out, 132; again refuses to lend to Charles, 140; its ships under Pennington's command, 151; mutiny in the ships of, 153, impossibility of borrowing money for the army at Rhé in, 193; is fined for failing to discover the murderers of Dr. Lambe, 320; Laud's unpopularity in, vii. 128, attempts to prevent overcrowding in, 161; orders to the Lord Mayor to keep down the price of coin in, 162, the country gentlemen ordered to leave, 240; authority of Laud over, 241; objects to the first writ of ship-money, 375, makes submission, 376; is fined in the Star Chamber for breaking the charter of the Londonderry Settlement, viii. 59; slowness of the sheriffs in assessing ship-money in, 93; growth of, 287; complaints of the increase of buildings in, 288, proposal to divide the government of the new districts between Westminster and, *ib.*; demolition of new buildings in, 289; sanitary defects of, *ib.*; exaction of tithes due to the City clergy in, 290; new corporation for governing the suburbs of, *ib.*; strength and organisation of, 301; is asked for a contribution for the war with Scotland, ix. 6; a loan demanded from, 26; fresh attempt to obtain a loan by threats from, 39; refuses to lend to the King, 98; attempt to enforce a loan from, by the imprisonment of four aldermen, 130; abandonment of Charles's attempt to enforce a loan from, 136; attempt of the Lord Mayor personally to collect ship-money in, 153; failure to collect coat-and-conduct money in, *ib.*; the levy of soldiers resisted in, 160; rejects a demand for a loan made by Cottington and Vane, 174; persists in refusing to lend in spite of a promise that negotiations will be opened with the Scots, 177; refuses to lend after the Scottish invasion, 189; circulation of copies of the petition of the twelve peers in, 202; a petition similar to that of the peers signed in, 205; its petition presented to the King, 207; disturbances in, 211; agrees to lend on the security of the peers, 212; reduces its loan, and chooses Alderman Wright as Lord Mayor, 214; attack by a mob on St. Paul's Cathedral in, 215; refuses to elect its Recorder to the Long Parliament, 220; unpopularity of Strafford in, 221; alarm lest the King's review of troops at the Tower should be intended to

LON

be followed by an attack on, 233; offers to lend money to Parliament conditionally, 236; petition for the abolition of episcopacy numerous signed in, 247; stoppage of the payment of the loan offered by, 294; petition for the execution of Strafford signed in, 341; the supposed French attack on Jersey and Guernsey causes a panic in, 362; overtures of Charles to, x. 28; disturbances and fanaticism in, 29; is ready to lend money for the suppression of the Irish rebellion, 70; petitions for the securing of Catholic lords, and depriving the bishops of their votes, 71; importance to Charles of securing popularity in, 82; royalist opinions of the wealthy citizens of, 83; organisation of the ceremonial for the King's entry into, *ib.*; the King's entrance into, 84; Charles is applauded by the citizens of, 85; Charles directs the Lord Mayor to quiet tumults in, 97; petition against the votes of the bishops and of the Catholic lords, 98; interference of the Lord Mayor and Recorder with the petitioners in, 104; arrest of Prophet Hunt, and attack on Barebone's house in, 105; election of a Puritan Common Council in, 107; declaration of the Lord Mayor that unless Lunsford is dismissed from the Lieutenancy of the Tower he cannot answer for the peace of, 112; the Commons ask for the protection of the trained bands of, 132; Charles orders the Lord Mayor to keep the peace of, 134; the five members take refuge in, 138; refuses to surrender the five members to the King, 142; the Commons meet in committee in, 143; panic in, 147; offers a guard to the Commons, 148; triumphal procession of the Commons from, 150; review of the trained bands of, 195

Londonderry, state of the settlement at, viii. 59; sentence in the Star Chamber on the City of London for abuses in the settlement of, 60; forfeiture of the lands held by the City of London in, 290; the City asks for the restitution of its lands in, ix. 236; is seized by the army, 254

Londoners' petition against episcopacy, the. *See* Root-and-Branch petition, the

Long, Walter, being imprisoned, applies for a *habeas corpus*, vii. 90; is removed to the Tower, 94; is liberated on giving security for good behaviour, 110; returns to prison, 111

Longford, settlement of, viii. 1

Lope de Vega, his verses on the Prince's visit to Madrid, v. 18

Lords, House of, position of, at the accession of James, i. 162; takes part, in 1604, in the controversy on Goodwin's case, 168; and in the inquiry into purveyance, 170; proposes to hold a conference on Sunday, 173; concurs in a petition on wardship, 175; blames the proposal of the Commons on the subject, 176; opposes the ecclesiastical policy of the Commons,

LOR

180; rejects a proposal for inflicting an extraordinary punishment on the Gun powder Plotters, 286; throws out a Bill on purveyance, 299; a petition on the grievances of the merchants in Spain forwarded by the Commons to, 351; Bill on impositions dropped in, ii. 83; consults the judges on the question of impositions, 241; refuses to confer with the Lords on the impositions, 242; acquaints the Commons with Bishop Neile's regret for his speech, 245; old and new peers in, iv. 37; repudiates the answer of Bacon and Mandeville to the charges against the referees, 50; its unfitness for conducting a political trial, 68; evidence against Bacon laid before, 72; sentences Mompeyson, 84; sentences Bacon, 103; sentences Michell, 108; receives a charge against Sir J. Bennett, *ib.*; examines Yelverton, 111; sends Yelverton to the Tower, 113; considers Yelverton's insult to Buckingham, 114; sentences Yelverton, 115; sentences Floyd, 123; judicial functions of, 124; dismisses the Bishop of Llandaff to the censure of the Archbishop of Canterbury, 125; releases Sir John Bennett on bail, *ib.*; exculpates Buckingham, v. 188; condemns the Spanish treaties, 189; discusses James's demand of a supply, 195; orders an inquiry into insults to the Spanish embassy, 203; sentences Middlesex, 231; allows a Bill granting tonnage and poundage for a year to drop, 365; is adjourned to Oxford, 373; reassembles at Oxford, 397; is summoned before the King in Christchurch Hall, 403; orders that no peers shall hold more than two proxies, vi. 68; asks the Commons to support the King's armaments, *ib.*; takes up Arundel's case, 91; demands an account of Arundel's absence, 92; acknowledges the writ sent to Bristol, 94; orders that the charges against Buckingham and Bristol shall proceed together, 95; Bristol defends himself before, 97; debate on Bristol's claim to use counsel debated in, 98; impeachment of Buckingham before, *ib.*; continues to urge the King to liberate Arundel, and refuses to imprison Buckingham, 108; sends a curt message to Charles about Arundel, 109; questions the accuracy of the report given to Charles of the words used by Digges, 111; protest that Digges had said nothing contrary to the King's honour argued in, 112; insists upon allowing counsel to Bristol, *ib.*; proposal to deprive new peers of their votes in, 115; Arundel takes his place in, *ib.*; begs for a postponement of the dissolution, 120; insists upon the restoration to their seats of five excluded peers, 231; the Commons' resolutions on the liberties of the subject laid before, 253; inclines to support the King, and consults the judges, 256; legal argument on the Commons'

LOR

resolutions before, 257; discusses the question of the King's power of committal, 258; draws up counter-propositions to the Commons' resolutions, 259; spirit in which the propositions were adopted by, 261; report on the Petition of Right by a committee of, 276; attempts to modify the clause of the petition relating to imprisonment, 277; an additional clause added to the petition by, 279; hesitates to proceed with the new clause after its rejection by the Commons, 281; sends the clause again to the Commons with an explanation, 282; is forced to abandon the clause, 286; asks the Commons to join in a protestation to satisfy the King, 287; adopts a declaration that its members had no intention of lessening the power which they were bound by the oath of supremacy to defend, and accepts the Petition of Right, 289; directs the Lord Keeper to acquaint the King that its feeling is against a dissolution, 307; asks for a better answer to the Petition of Right, 308; gives sentence upon Manwaring, 312; suggestion that Catholic peers need not take the oath of allegiance in, ix. 38; refuses to adjourn on account of the sitting of Convocation, 101; questions Manwaring's appointment to a bishopric, 106; unpopularity of the bishops in, *ib.*; obliges Bishop Hall to beg pardon of Saye, 107; the King appeals for support against the Commons to, 108; gives support to the King, 109; continues by a reduced majority to support the King, 111; Strafford appears in, 232; receives Strafford's impeachment, and commits him to custody, 235; the preliminary charges against Strafford laid before, 241; ship-money condemned by, 264; a congregation of Separatists brought before, 266; joins the Commons in asking for the execution of the recusancy laws, 269; passes the Triennial Bill, 273; orders the arrest of Berkeley, 289; irritates the Commons by granting time to Strafford to prepare his defence, 291; grants Strafford another week, 292; anxiety of Charles to win votes in, 293; Strafford's answer read in, 296; joins the Commons in asking for the dispersion of the Irish army, the disarmament of the Catholics, and the dismissal of the Queen's Catholic attendants, 297; appoints a committee on ecclesiastical innovations, 298; urges the City to lend, and the King to disarm the Catholics and disband the Irish army, 325; allows both Strafford and his accusers to produce fresh evidence, 327; is irritated at the introduction of the Bill of Attainder, 331; hears the legal argument on behalf of Strafford, 337; altercation between Savile and Strafford in, 339; reads the Bill of Attainder the second time, 341; hears St. John's argument on

LOR

the legality of the Bill of Attainder, 344; alarm felt in at the King's intrigues, 345; is beset by a mob demanding Strafford's execution, 349; sees to the safety of the Tower, 355; the Protestation taken in, 356; appoints a committee to examine the Army Plot, 358; pushes on the Attainder Bill, 359; passes the Attainder Bill and the Bill against the dissolution of Parliament, 361; sends a deputation to urge the King to give the Royal assent to the Attainder Bill, 363; agrees to the withdrawal of the clergy from temporal functions, but excepts the bishops' seats in Parliament, 378; discusses the Bishops' Exclusion Bill in conference, 382; throws it out, 383; does not adopt any particular plan of Church reform, 387; does not support Williams's scheme of Church reform, 409; throws out a Bill for making the signature of the Protestation obligatory, 413; is recommended by the King not to oppose the Commons till his return from Scotland, 414; joins the Commons in asking the King to make Pembroke Lord Steward and Salisbury Lord Treasurer, 417; gives a day for the adjournment, x. 10; adopts amendments to the Commons' resolutions on ecclesiastical innovations, 15; orders Divine service to be performed according to law, and refuses to communicate its resolution to the Commons, 16; appeals to the law, 17; adjournment of, 18; the second Bishops' Exclusion Bill sent up to, 38; the King's declaration that he will stand by the discipline and doctrine of the Church circulated in, 39; is asked to suspend the bishops from voting on the Exclusion Bill, 40; postpones consideration of the suspension of the bishops, 41; imprisons Father Phillips, 54; unpopularity of protections given by members of, 70; the City petition for depriving bishops of their votes in, 71; agrees to the proposal that 5,000 Scots shall be sent to Ireland, *ib.*; orders an inquiry into Beale's allegations, 73; refuses to give powers to Essex and Holland in excess of those conferred by the King's commission, *ib.*; amends the Impressment Bill, 95; is dissatisfied with the King's speech on the Impressment Bill, 99; declares that no religion except that established by law in England is to be tolerated, 100; enters into a contest with the Commons on the Scottish army for Ireland, and the Impressment Bill, 103; refuses to join in a petition for Lunsford's removal, 109; wishes to give Charles time to reconsider Lunsford's appointment, 111; intimidation of the bishops outside, 117; offers to join the Commons in bringing to justice Newport's accusers, and asks the Commons to support them in demanding a guard against riotous assemblages, *ib.*; most of the bishops absent themselves from, 118; is asked by Digby to declare

LOR

that Parliament is no longer free, 119; rejects Digby's motion, and attempts to mediate between the King and the Commons, 121; sides with the Commons after the protest of the bishops, 123; accepts the impeachment of the bishops who had signed the protest, and imprisons them, 125; refuses to ask that Essex may command the guard, 126; Mandeville and five members of the House of Commons charged with treason before, 130, appoints a committee to inquire into the legality of the proceeding, 131, places itself in opposition to the King, 132; joins the Commons in ordering Hotham to occupy Hull, 153, is agreed with the Commons in taking measures of defence, but objects to ask the King to appoint Conyers Lieutenant of the Tower, 154; Byron refuses to answer a summons from, 155, objects to the form of the Commons' declaration for defence, 156; wishes to thank the King for his conciliatory message, 159, refuses to join in the demand of the Commons for the fortresses and the militia, or to censure Lennox heavily, 160; resists the Commons, 161; presentation of the artificers' petition to, 162; joins the Commons about the militia, and passes the Bishops' Exclusion Bill, 163; accepts the list of Lords-Lieutenants sent up by the Commons, 165; the bishops deprived of their seats in, 166; accepts the Commons' resolution for putting the kingdom in a state of defence, 171; sentences Benyon to fine and imprisonment, 185; many Royalist peers abandon, *ib.*; sentences Sir Edward Herbert, 194

Lords Justices of Ireland, the (Sir William Parsons and Sir John Borlase), find it difficult to manage Parliament, x. 45; are horrified to hear that the plantation of Connaught is abandoned, *ib.*; fresh confiscations desired by, 49; receive intelligence of a plot to seize Dublin Castle, 51; arrest the chief conspirators, 52, do not know how to deal with the Catholic lords, 53; project of superseding, 113; summon the Catholic lords to Dublin, 114; behaviour of, to Ormond, 115; think that the spread of the rebellion will lay open a great part of Ireland to confiscation and the settlement of religion, *ib.*; send Ormond to relieve Drogheda, but order him not to follow up the enemy, 174

Lords-Lieutenants, a committee of the Commons recommends that the members of each county shall nominate, x. 157

Lords of the Articles, the Scottish, manner of the election of, vii. 287; necessity of reconstituting, ix. 50; reconstitution of, 53

Lorkin, Thomas, is Charles's agent at the French Court, v. 381

Lorne, Lord (Archibald Campbell), wish of Charles to marry Elizabeth Stuart to,

LOU

vi. 71; quarrels with the Bishop of Galway, viii. 316. *See* Argyle, Earl of

Lorraine, armies of Mansfeld and Christian of Brunswick threaten to enter, iv. 338, is ravaged by Mansfeld, 339; mission of Walter Montague to, vi. 167, is seized by Richelieu, vii. 317. Charles wishes France to surrender, in exchange for the Palatinate, viii. 97. *See* Charles III, Duke of

Lothian, Earl of, 1631 (William Keir), his opinion of Montrose, ix. 397

Loudoun, Earl of, by patent granted in 1633, but superseded till 1641 (John Campbell), is interrupted in Parliament by Charles, vii. 289; Charles complains to, ix. 45; visits Charles at Berwick, 47; is sent to England to plead the cause of the Scottish Parliament, 55; arrives in London, 73; is sent back to Scotland, 74; returns to England, and negotiates with Charles, 91, is committed to prison, 97; declares himself ignorant of French, 99; is set at liberty, 168, finds that the terms which he brings from Charles do not give satisfaction in Scotland, 169; takes the lead on the Scottish side at the Treaty of Ripon, 210; discovers Savile's treachery, *ib.*; goes to Scotland charged with a secret commission from the King, 410, returns from Scotland, 414; information brought by, 415; Charles proposes to make Chancellor of Scotland, x. 20; is accepted as Chancellor by the Parliament, 22

Louis XIII. (*King of France*, 1610-1643), his relations to the States-General, ii. 315, approves of the murder of Ancre, iii. 109; mediates in Germany, 364; accompanies Luynes against the Huguenots, iv. 290; refuses to accept Doncaster as a mediator, 291; makes peace with the Huguenots, 402; takes alarm at the power of Spain, v. 215; appoints La Vieuville as his minister, 216; sends Mariscot to the Elector of Bavaria, 218; is more anxious about the Valtelline than about the Palatinate, 219, receives Mansfeld and sends him to England, 221; insists on the insertion in the marriage treaty of an engagement in favour of the English Catholics, 251; dismisses La Vieuville and appoints Richelieu his chief minister, 255; promises to support Mansfeld, 260; aims at the conquest of the Valtelline, 265; explains that Mansfeld will be used for the recovery of the Valtelline, 266; disputes with James about Mansfeld's passage, 267; gives a vague promise about the Palatinate, 270; promises to allow Mansfeld to land in France, 274; wishes Mansfeld to be employed in the relief of Breda, 276; refuses to allow Mansfeld to land in France, 280; wishes to involve James in a war with Spain, 282; prohibits Mansfeld from landing in France, 286; neglects to pull down Fort Louis, 304; obtains from

LOU

England and the States-General the promise of a loan of ships to be used against the Huguenots, 305; intimates his wish that Charles shall not appear in person at his marriage, 306; refuses to engage in war with Spain, 331; opens negotiations with the Huguenots, 381; is reported to have made peace with the Huguenots, 306; the Huguenot deputies demand peace from, 392; wishes to play the first part in an alliance against Spain, vi. 24; refuses to allow Buckingham to visit France, 25; Buckingham is instructed to demand engagements in favour of the Huguenots from, 26; claims the restoration of the 'St John,' 28; offers to receive Buckingham if the English Catholics are relieved from the penal laws, and if the old arrangement of the Queen's household is unchanged, 38, is irritated at the proposal that he shall play a secondary part in the league for the recovery of the Palatinate, 48, carries on negotiations with the Huguenots, 50; comes to an agreement with them, through the mediation of Holland and Carleton, 51; offers to release the English ships detained in reprisal for the prize goods seized in England, 69; wishes to co-operate with England, 87; offers to recall Blainville, 88; finds the hope of an alliance with England slipping away, 89; accepts the Peace of Barcelona with Spain, 90, is angry at the expulsion of his sister's attendants, and resolves to send Bassompierre to England, 137; sends an ultimatum to Charles, 152; crosses the Alps to take part in a campaign in Italy, vii. 99; abandons the English Catholics in the Treaty of Susa, 100, refuses to dismiss Richelieu on the Day of Dupes, 184; expects the German Princes on the left bank of the Rhine to seek his protection, 195; refuses to do anything for Frederick which will ruin the German Catholics, 198, takes Bernhard's army into his pay, 374; presses Charles to make a league with him, viii. 161; takes the field against a Spanish invasion, 164; birth of the son of, 381, first letter written, but not sent, by the Covenanters to, ix. 91; second letter sent by the Covenanters to, 92; Charles sends a copy of the first letter of the Covenanters to, 97.

Louis, the Dauphin (afterwards Louis XIV.), birth of, viii. 381.

Louth, misappropriation of the property of the Free School at, viii. 111.

Louth, county of, rebellion of a great part of the gentry of, x. 96.

Louvain, the French abandon the siege of, vii. 387.

Lowe, Sir Thomas, brings before the Commons the grievances of the merchants in Spain, i. 349.

Lübeck, peace of, vii. 101.

MAC

Ludlow Castle, performance of the *Contes* at, vii. 335.

Ludovisi, Cardinal, letter of Olivares to, v. 14; announces the decision of the Cardinals on the grant of a dispensation for the Infanta's marriage, 33.

Lumsden, Thomas, fined and imprisoned by the Star Chamber, ii. 342.

Lunsford, Thomas, complains of the conduct of his soldiers, ix. 160; is appointed Lieutenant of the Tower, x. 108; the Lords refuse to join the Commons in a petition for the removal of, 109; protest of the Commons against, 110; dismissal of, 112, drives a mob out of Westminster Hall, 117; collects his followers at Kingston, 154; is supposed to have a design on Portsmouth, 155; accompanies Hastings into Leicestershire, 208.

Lutheranism, character of, i. 16, influence in Germany of, iii. 273.

Luttrell, Thomas, is a member of an Irish deputation to the King, and is sent to the Fleet, ii. 294.

Lützen, battle of, vii. 207.

Luynes, Duke of, rise of, at the French Court, iii. 109, is victorious over the French Protestants, iv. 290, insults Sir Edward Herbert, 101, death of, 291.

Lycidas, written by Milton, viii. 244; lines relating to Laud in, 245.

Lynn, Brent's report of the metropolitical visitation of, viii. 109.

Lyttelton, Edward, declares that the subject will be in a worse position if the statutes are confirmed without explanation, vi. 273; moves to send for those who had seized Rolle's goods, vii. 32; does not support Eliot in his resolution to appeal to the country, 67; asks in the King's Bench that the imprisoned members of Parliament may be bailed, 92; becomes Recorder of the City of London, 221; becomes Solicitor-General, 366. *See* Lyttelton, Sir Edward; Lyttelton, Lord.

Lyttelton, Sir Edward, argues for the Crown in Hampden's case, viii. 273; is made Lord Keeper, ix. 263. *See* Lyttelton, Edward; Lyttelton, Lord.

Lyttelton, Lord, 1640 (Edward Lyttelton), is disabled by illness from presiding over the House of Lords during Strafford's trial, ix. 302; refuses to seal a commission for the Parliamentary Commissioners, x. 4; votes against the refusal of the Lords to lay their resolution on Divine service before the Commons, 16; receives the protests of the bishops from Nicholas, 122; takes the Great Seal to York, 196. *See* Lyttelton, Edward; Lyttelton, Sir Edward.

Macbeth, reference to touching for the King's evil in, i. 152; to Garnet's doctrine of equivocation, 282.

Machiavelli, Wentworth adopts the maxims of, viii. 90.

MAC

- MacMahon, Hugh, prepares to seize Dublin Castle, x. 51; is arrested, 52
- Madrid, treaty of, vii. 175
- Maestricht is besieged by Frederick Henry, vii. 209, surrender of, 212
- Magdeburg, is stormed by Tilly, vii. 179
- Magna Carta*, is asserted in the Lords' propositions to be in force, vi. 260, declaration by Coventry that the King holds it to be in force, 263, Rudyerd speaks of it as bedridden, and wishes to see it walk abroad, 264
- Maguire, Cuconnaught, his feud with Connor Roe Maguire, i. 381, 404; is reported to intend to leave Ireland, 408, joins Tyrone in his flight, 416
- Maguire, Lord, Baron of Enniskillen, 1633 (Connor Maguire), character of, x. 48, resolves to act independently of the Catholic lords, 50, prepares to seize Dublin Castle, 51; is arrested, 52
- Maid of Honour, the*, Massinger's, political allusions in, vii. 202, ideal of womanhood in, 337
- Mainwaring, Sir Henry, receives Gondomar at Dover, iii. 336
- Maldon, riot at, vii. 84
- Mallett, Thomas (*Justice of the King's Bench*, 1641), directs the return of the Grand Jury at the assizes at Maidstone, x. 179, is committed to the Tower, 181
- Mallory, William, is sent to the Tower, iv. 267; is liberated, but ordered to restrain himself to the neighbourhood of his own house, 350; is relieved from restraint, v. 5; moves for an adjournment at the opening of Charles's first Parliament, 340
- Malton, siege of Lord Eure's house at, vii. 232
- Maltreaves, Lord, 1639 (Henry Frederick Howard), falls in love with Elizabeth Stuart, vi. 71; marries her, 72
- Maltsters and brewers, the, regulation of the trade of, viii. 285
- Malvezzi, the Marquis Virgilio, arrives in England, as Spanish ambassador, ix. 131; Milton's reference to, *ib.*
- Manchester, the first blood shed in the Civil War at, x. 214
- Manchester, Earl of, 1626 (Henry Montague), moves an amendment of the Lords' message about Arundel, vi. 108, explains that the report of the word spoken to Digges had been altered by Digges, 111; checks Serjeant Ashley for saying that the question of imprisonment is too high for a legal decision, 257; is a member of the Lords' committee on imprisonment, 276; becomes Lord Privy Seal, 335; reminds the Merchant Adventurers that they are released by the King from a statutory penalty, and therefore ought to pay tonnage and poundage, vii. 83, takes part in a conference on the terms on which bail is to be offered to the imprisoned members, 109; arbitrates between Cromwell and Barnard, 165; gives an opinion in favour of the legality

MAN

- of ship-money, 357; argues that the City of London is bound to pay ship-money, 376, becomes a commissioner of the Treasury, 379, does not favour the attempt of the Council to force the City to lend money, ix. 39, takes part in the Councillors' loan, 77, attempts to persuade the City to lend money to the King, 98, suggests the summoning of the Great Council, 200, lays a copy of the petition of the twelve peers before the Privy Council, 202, votes against the refusal of the Lords to communicate their resolution on Divine service to the Commons, x. 16. *See* Montague, Sir Henry, Mandeville, Viscount
- Mandeville, Viscount, Lord Kimbolton in his own right (Edward Montague), signs a letter to Johnston of Warriston, ix. 179, signs the petition of the twelve peers, 199; brings the petition of the twelve peers to the King, 201; asserts his ignorance of the letter forged by Savile, 210, becomes a Privy Councillor, 292, is informed of the Army Plot, 317; is sent to Portsmouth to examine into Goring's proceedings, 361; unimpaired appointment of, to the Secretaryship, 409, protests against the refusal of the Lords to communicate to the Commons their resolution on Divine service, x. 16; after intending to call him as a witness, Charles, resolves to impeach, 130, is impeached, *ib.*; is proclaimed a traitor, 147, returns in triumph to Westminster, 151
- Mandeville, Viscount, 1620-1626 (Henry Montague), is called to order on his reply to the charges against the referees, iv. 50; protests against a proposal to deprive Bacon of his peerage, 102; is attacked as one of the referees, 110; argues that Velverton should not be condemned unheard, 115; resigns the Treasurership, and becomes President of the Council, iv. 227; receives security for the repayment of the money given for the Treasurership, v. 5; is created Earl of Manchester, vi. 50. *See* Montague, Sir Henry, Manchester, Earl of
- Manners, Lady Catherine, courtship of, iii. 354; marriage of, 357. *See* Buckingham, Duchess of
- Mannheim, arrival of Frederick and Mansfeld at, iv. 315; arrival of Christian of Brunswick at, 318; is evacuated by Mansfeld and Christian, 319, proposed sequestration of, 337; is besieged by Tilly, 361; surrender of, 386; is occupied by the French, vii. 374
- Mannourie, assists Raleigh to feign illness, iii. 139
- Mansell, Sir Robert, opposes inquiry into the navy, ii. 187; is imprisoned, 189; is censured by the Star Chamber, 191; has a part in the glass monopoly, iv. 10; commands a fleet against Algiers, 224; fails in his attack and is recalled to Eng-

MAN

land, 225 ; is a member of the Council of War, v. 223, is asked to testify whether the Council of War had authorised Buckingham's proceedings, 424, holds his peace, 425, explains that the Council of War had voted under compulsion, 428 ; asserts that the Council of War had referred his scheme to Buckingham, 430 ; is summoned before the Council and reprimanded, vi. 1, is dismissed from the justiceship of the peace, 126

Mansfeld, Count Ernest of, commands a regiment for the Duke of Savoy, iii. 277 ; is sent into Bohemia, 278, is sent on a mission to Tünn, 291 ; keeps Bucquoy in check, 302 ; is defeated, 304 ; fortifies Pilsen, 382, character of, iv. 195 ; inaction of, 196, is appointed by Frederick to command the army in Bohemia, 197, retires to the Upper Palatinate, 198 ; fortifies Roshaupt, and attacks the Bishop of Bamberg and Würzburg, 203 ; seizes the Landgrave of Leuchtenberg, 203 ; behaviour of, in the Upper Palatinate 213, irritation of the inhabitants of the Upper Palatinate against, 217 ; enters on an intrigue with Maximilian, 218 ; meets Digby, *ib.* ; loses the Upper Palatinate, 219 ; marches to the Lower Palatinate, 223 ; quarters his army in Alsace, 294 ; sentiments prevailing in the camp of, 301, writes to James that he expects to be allowed to keep Hagenau if peace is made, 303 ; offers to the Infanta to change sides, 306 ; is joined by Frederick, 308 ; breaks off his negotiation with the Infanta, 309 ; checks Tilly at Wiesloch, takes Ladenburg and retreats, 310, takes Darmstadt and seizes the Landgrave, 313 ; is frustrated in his endeavour to join Christian of Brunswick, 314 ; returns to the Palatinate, 315 ; offers to accept an armistice, 316 ; Chichester's opinion on the state of the army of, 315 ; retreats to Alsace, 319, makes exorbitant demands at the conference at Brussels, 322, demands a passage through Lorraine, 338 ; ravages Lorraine, 339, is invited to march to the relief of Bergen-op-Zoom, 341 ; crosses the Spanish Netherlands, and fights a battle at Fleuss, 342 ; assures Weston that his diplomacy is useless, 344 ; joins in the relief of Bergen-op-Zoom, 376 ; is discharged by the States, and invades East Friesland, 401 ; looks to France for aid, 402 ; visits France, v. 221 ; arrives in England and receives from James a promise of men and money, 222 ; leaves England, 223 ; refusal of the Council of War to supply money to, 265 ; French plan for the employment of, *ib.* ; assures James that his troops will be allowed to land between Calais and Gravelines, 266, dispute between James and Louis about the passage of, 267 ; order of the Council of War to advance money to, 271 ; arrives in England to command the

MAR

troops, 272, permission to enter France given by Louis to, 274, hesitation of Louis to fulfil his obligation to, 275 ; suggests that he may be employed to relieve Breda, 276 ; is refused permission to land in France, 280, is required by the French ambassadors to march through Holland, 281, wretched condition of his troops, 282 ; cannot obtain money from the English Government, 283, is gained over by the French ambassador, 284 ; declares his intention of carrying his army to Flushing, 285, is prohibited from landing in France, 286 ; is forbidden to go near Breda, and sails for Flushing, 287, miserable condition of his men in the Netherlands, 288 ; money lent by the Dutch for the payment of the army of, 289 ; his army wastes away, 290, is allowed to assist the Dutch, 323 ; deplorable condition of the troops of, 335, is unable to march to the Palatinate, *ib.* ; Lord Cromwell complains of, 336 ; is defeated at the Bridge of Dessau, vi. 139 ; death of, 164

Mantua, dispute succession in, vi. 331 ; claim of the Duke of Nevers to, vii. 99

Manwaring, Roger (*Bishop of St. David's*, 1636), preaches a sermon on obedience to the King, vi. 208 ; obtains a licence for its publication, 209 ; opinions of, *ib.* ; Phelps protests against the sermon of, 237 ; impeachment and condemnation of, 312 ; receives a pardon from the sentence of the Lords, and the living of Stanford Rivers, 330 ; receives a special pardon, vii. 23, his right to his bishopric questioned by the Lords, ix. 106, the Lords are persuaded by the King not to censure, 111

Mar, Earl of, 1634 (John Erskine), commands the Castle of Edinburgh, viii. 342 ; treats with Hamilton for the surrender of Edinburgh Castle to the King, 345 ; gives over the Castle to Hamilton, 367, holds Stirling Castle, ix. 2 ; signs the Bond of Cumbernauld, 182

Mare Clausum, written by Selden, viii. 154

Mare Liberum, written by Grotius, iii. 164

Marescot, M. de, sent as ambassador to Germany, v. 218 ; failure of the mission of, 260

Margaret, the Infanta (daughter of Maximilian II.), urges Philip IV. to marry his sister to the Archduke Ferdinand, iv. 389

Margaret, the Infanta (daughter of Philip III.), death of, iii. 102

Maria, the Infanta, offered to Prince Henry, ii. 139 ; proposal to marry her to Prince Charles, 252 ; proposal to marry her to the Archduke Ferdinand, iii. 377 ; her interview with Digby, iv. 334 ; character of, 387 ; is averse to marrying Charles, 388, urges her brother to abandon the marriage treaty, 389 ; threatens to go into a nunnery, 390 ; impression made on

MAR

Charles by her appearance, v. 19, continues reluctant to marry Charles, 20; receives Charles's formal addresses, 30; proposal to detain after marriage, 40; runs from the garden when Charles leaps over the wall, 52; preparations in England for the reception of, 55, 15 to be kept in Spain after the Prince leaves it, 62; appears at the Court Theatre at Madrid, 63, is urged by Olivares to consent to marry Charles, 62, has an interview with Buckingham, 96; sees Charles for the last time, 114; fear of Charles that she will go into a nunnery, 118; assurance given by Bristol that she has no such intention, 121, assures the Countess of Olivares of her affection to the Prince, 122, is officially styled Princess of England, and studies the English language, 123; Bristol's account of the feelings of, 133; arrival of the dispensation for the marriage of, 150, day fixed for the marriage of, 151, indefinite postponement of the marriage of, 153. *See* Marriage treaty between Prince Charles and the Infanta Maria

Marillacs, the two, deaths of, vii. 198

Marischal, the Earl, 1635 (William Keith), drives the Gordons out of Aberdeen, ix. 21; secures Aberdeen, 148, is joined by Monro at Aberdeen, 165; signs the bond of Cumbernauld, 182

Markham, Chief Justice, quotation of his opinion that the King cannot arrest, x. 145

Markham, Sir Griffin, takes part in Watson's plot, i. 109, is convicted, 138, his sentence commuted to banishment, 139

Marlborough, Earl of, 1626 (James Ley), is urged by Charles to find money for the expedition to Rhé, vi. 178, is too old to be energetic, 179; becomes President of the Council, 335; resigns the Presidentship of the Council, 372. *See* Ley, Sir James; Ley, Lord

Marriage treaty between Prince Charles and the Infanta Maria, the, proposed by James to Sarmiento, ii. 252, referred to the Pope by the King of Spain, 255, advice of a junta of theologians about, 256; preparation of the articles of the contract of, *ib.*; informal negotiations opened for, 316; James dissatisfied with the articles of, 323; James accepts the articles of, 326; Somerset entrusted with the management of, 327; Sarmiento assured that, in spite of Somerset's fall, it will be carried on, 368; Digby advises the abandonment of, 390; modification of the articles of, 392; Philip again consults the Pope on, iii. 37; the theologians again consulted on the articles to be required in, 38, submitted to commissioners chosen from the Privy Council, 58; instructions to Digby to negotiate formally for, 61; progress of the negotiation for, 102, suspension of the negotiation for, 105, Lafuente sent to assure James

MAR

that it will be proceeded with, 279; Philip III. requests the Pope's assent to, 289, Gondomar proposes to James the resumption of, 315, James offers to engage by letter to favour the Catholics in consideration of, 346, Gondomar advises Philip to proceed with, 346, wish of Philip III. to break off, 377, mission of Lafuente to ask for the Pope's approbation of, 378, assurance given by Philip IV. of his intention to persevere with, iv. 100, its effect on English opinion, 245, Lafuente carries on a negotiation at Rome about, 330; Digby urges the Spanish Government to decide whether it is to be carried out, 333, assurance given by Philip IV. of his intention to go on with it, 334; the Pope demands new conditions for the confirmation of, 350, alterations made at Rome in the articles of, 352; complaints of James and Buckingham on the state of the negotiations for, 353, 354, a junta appointed in Spain to treat with Bristol on, 373, instructions to Bristol to give way on some points in, 374, discussions in the junta on, 383, objection of the Infanta Maria to, 388, resolution of Philip to put an end to, 391; memorial presented by Olivares to the Council of State on, 392, alterations made by the Spanish Government in the articles of, 396, the amended articles of, sent to Rome, *ib.*; acceptance by James and Charles of the amended articles of, 398, arrival of Charles and Buckingham at Madrid to forward, v. 10, the Prince's conversion regarded as a necessary preliminary to, 18, conversation between Buckingham and Olivares on, 20; conditions suggested by the Nuncio for, 21, mission of Pastrana to Rome to forward, 24, reluctance of the Infanta to carry out, 26, discussion at Rome on, 31, resolution taken at Rome to impose conditions on the conclusion of, 32, arrival in Spain of the dispensation for, 37, fresh demands made by the Pope as conditions of the dispensation for, 38; English and Spanish commissioners appointed to discuss, 39; speech of Olivares on, 40, refusal of the Nuncio to give the dispensation for, 42; decision of the Junta of Theologians on, 50; Olivares asserts that Philip III. had never intended to conclude, 51; engagement of James to ratify the articles of, 58; vain attempt of the Prince to obtain a modification of the terms of, 59; public announcement at Madrid of the conclusion of, 63; James hesitates to accept the articles of, 64; is accepted by the English Privy Council, 67; private dissatisfaction of the Councillors with, 68, oath taken by James to the public articles of, *ib.*; oath taken by James to the private articles of, 69; Charles accepts fresh articles of, 90; signature by Charles and Philip of, 92; agreement made at Salis-

MAR

- bury to carry out the relaxation of the penal laws promised in, 99; oath taken by Charles to, 114; approval by Urban VIII. of the dispensation for carrying out, 118; indefinite postponement of the marriage fixed by, 153; the House of Lords repudiates, 189; James declares the dissolution of, 201; public rejoicings in London at the end of, 203; despatch of James announcing the final breach of, 211. *See* Charles, Prince of Wales, Maria, the Infanta
- Marriage treaty between Prince Charles and the Princess Henrietta Maria suggested by Du Buisson, ii 388; mission of Grey to England to suggest, v. 175; is unpopular in the House of Commons, 199; mission of Kennington to prepare the way for, 215; arrival of Carlisle at Paris to negotiate, 249; refusal of the French to negotiate unless the English Catholics are provided for in, 250; terms demanded by Richelieu for the conclusion of, 256; acceptance by James of Richelieu's terms for, 262; signature of, by the English ambassadors, 271; rejoicings in London at the conclusion of, 274; ratification of, 277; Richelieu frustrates the attempt of the Pope to add new conditions to, 307. *See* Charles, Prince of Wales, Henrietta Maria, Princess
- Marshall, Dr., alleged ill-treatment of, by Neile, vii. 56
- Marshall, George, carries the news of Elizabeth's death to James, i. 86
- Marshall, Stephen, is one of the authors of the pamphlet issued under the name of *Smectymnus*, ix. 390
- Marten, Henry, character of, ix. 300; moves that no money shall be advanced to the Scots till Strafford is executed, 301; asks that the Bill of Attainder shall be read a second time without further inquiry, 330; wishes that there may be a declaration to unite the members, 353; moves that Digby be sent for, 386; tells Hyde that one man is not wise enough to govern them all, 389; opposes sending immediate aid to Ireland, x. 69; is a member of the Committee of Safety, 209
- Marten, Sir Henry, alludes to Buckingham's failure as a diplomatist, v. 398; urges a grant of supply, 429; dislikes the sale of French prize goods before they are condemned, vi. 42; orders the restitution of the 'St. Peter,' 45; is consulted by Buckingham on the case of the 'St. Peter,' 66; warns the Commons on the danger of acknowledging a power superior to the laws, 282; suggests that Eliot has spoken from disaffection to the King, 301; convinces the Commons that Montague is legally a bishop, vii. 49; is forbidden to give judgment on a suit relating to the communion-table at St. Gregory's, 310
- Martial law, established at Wimbledon's

MAR

- suggestion, vi. 156; debate in the Commons on, 254; clause in the Petition of Right directed against, 275; proposal of the Lords to exclude only civilians from the operation of, 276, exercised by Conway, ix. 152; Northumberland questions the legality of, 162; orders given to Conway to exercise, 176; refusal of the Commons to entrust the officers of the Northern army with the exercise of, 254
- Martin, Dr., wishes that pontifical vestments could be used in the Church of England, viii. 138
- Martin, Richard, takes part in the debate on impositions, ii. 80
- Mary de Medicis (*Widow of Henry IV.*), becomes Regent of France, and sends troops to besiege Juliers, ii. 99; is not anxious to effect a marriage between her daughter, Christina, and Prince Charles, 314; hinders Frenchmen from helping the Duke of Savoy, 321; her answer about her daughter's marriage considered by James to be a refusal, 326; sends Grey to London to suggest a marriage between Charles and Henrietta Maria, v. 175; welcomes Kensington, 216; Carlisle and Kensington appeal to, 256; Buckingham's conversation with, 332; fails to overthrow Richelieu, and escapes to the Spanish Netherlands, vii. 184; fails to persuade Charles to take part in a combination against Richelieu, 185; requests her daughter to give her a refuge in England, 186; leaves Brussels for the Dutch Netherlands, and embarks for England, viii. 379; arrives in England and resides at St. James's, 380; begs to be allowed to return to France, 16; threatened attack by the mob on, ix. 133; unpopularity of, 134; stoppage of the allowance of, 259; tells Rossetti that the King means to dissolve Parliament and liberate Strafford, 288; is preserved by guards from an attack of the mob, 366; demand of the Commons for her removal from the kingdom, 375; leaves England, x. 3; sends Montgot to England, 42
- Mary, Princess (*Daughter of Charles I.*), birth of, vii. 218; rejection of an offer of marriage with Prince William of Orange, ix. 89; consent given by Charles to her marriage with Prince William, 244; formal demand of the hand of, 257; completion of the treaty for the marriage of, 262; her approaching marriage announced to Parliament, 288; marriage of, 347
- Mary, Queen of England, 1553-1558, reign of, i. 11; revives the levy of customs without a Parliamentary grant, ii. 1
- Mary, Queen of Scots, flies to England, i. 13; her imprisonment and execution, 14
- Maryland, intention of the first Lord Baltimore to colonise, viii. 177; charter

MAS

- granted to the second Lord Baltimore for colonising, 178, position of the Catholics in, 179, landing of the settlers in, 180, struggle for political rights in, 186; toleration secured in, 181
- Masham, Sir William, refuses to sit on the Essex Commission for the forced loan, vi. 148
- Mason, R., pleads on Eliot's behalf in the King's Bench, vii. 116
- Mason, Captain, is sent to Plymouth to restore order, vi. 218, occupies the house in which Buckingham is assassinated, 348
- Massachusetts, settlements in, vii. 155; rejection of toleration in, 158, large emigration to, 317, announcement that the King will not impose the ceremonies of the Church on, 186; attempt to hinder emigration to, 318; resists the attempt made in England to change its institutions, viii. 168, banishment of Roger Williams from, 170; proposed emigration of English noblemen to, 171, landing of Vane in, and alleged intention of Pym and others to emigrate to, 172; Vane, Governor of, 173, dispute in, on Mrs. Hutchinson's opinions, 174; complete liberty of speech impossible in, 176
- Massachusetts Company, the, formation of, vii. 155, transference to America of the government of, 156, the charter of, declared null and void, viii. 167
- Massinger, Philip, political allusions in the plays of, vii. 291, occasional immorality of, 327; view taken of womanhood by, contrasted with that of Milton, 337
- Massini, De' (*Nuncio at Madrid*), urges Olivares to support the transference of the Electorate, v. 11; is said to oppose Charles's marriage with the Infanta, 15; throws difficulties in the way of the marriage, 21; proposes the cession of a fortress to the English Catholics, 22; receives coldly a proposal of Olivares for the deposit of the Palatinate in the hands of the Infanta Isabella, 25; refuses to proceed with the Infanta's marriage without a dispensation, 28, informs Olivares of the conditions on which the dispensation has been granted, 33; receives the dispensation from Rome, 37; refuses to give the dispensation on Charles's terms, 42; 53
- Mastership of the Rolls, sold to Sir Charles Caesar, ix. 25
- Matthew, Tobias, Archbishop of York, votes for conferring with the Commons on impositions, ii. 242, is accustomed to announce his own death, iv. 285
- Matthew, Sir Toby, is sent to Madrid to induce the Spanish Ministers to allow the Infanta to accompany the Prince, v. 60; is suspected of taking a part in the conversion of Lady Hamilton, viii. 239
- Matthias, *Emperor*, 1612, proposes Ferdinand of Styria as his successor in Bohemia iii. 266; seeks for help against

MAX

- the Bohemian revolutionists, 271, loves all Bohemia except Budweis, 276, death of, 290
- Maurice (*Landgrave of Hesse-Cassel*), urges Frederick to summon a meeting of German Protestants, iii. 302, dissuades him from accepting the Crown of Bohemia, 310; submits to the Emperor, iv. 191
- Maurice of Nassau, Count, leads the war-party in the Netherlands, ii. 21, conducts the siege of Juliers, 100; occupies Emmerich and Rees, 264; makes difficulties about the execution of the Treaty of Xanten, 308; opposes Barneveld, iii. 258, becomes Prince of Orange, 259. *See* Maurice, Prince of Orange
- Maurice, Prince of Orange, 1618-1625, drives Barneveld from power, iii. 259; converses with Dohna on Frederick's difficulties, 311; sneers at James's hesitation to assist his son-in-law, 326; offers made by the Archduke Albert to, iv. 187; refuses to break up the Dutch blockade of the Dunkirk privateers in Leith and Aberdeen, v. 80; excuses the conduct of the Dutch officers who had attacked a privateer at Leith, 83; interest taken by him in Breda, 275, his opinion of the qualities of English soldiers, 283; death of, 324
- Mawe, Leonard, sent to Spain as the Prince's chaplain, v. 36
- Maximilian I., Duke of Bavaria, 1596-1623, occupies Donauworth, ii. 92; refuses to aid Matthias against the Bohemian revolutionists, iii. 271, is named as a mediator in Bohemia, 278; receives Doncaster, 304; character of, 317; receives Ferdinand at Munich, 318; obtains a promise of the transference of Frederick's electorate to himself, 319; sends Ferdinand to Vienna, 320, negotiates with Saxony and Spain, 321; urges the Spanish Government to make a diversion on the Palatinate, 328; invades Austria, 367; is displeased with the Emperor for negotiating with Digby, 205; protests against Digby's mediation, 206, prepares to attack Mansfeld, 217; subdues the Upper Palatinate, 219, receives secretly the Electoral title, 220; public grant of the Electorate to, 405. *See* Maximilian I., Elector of Bavaria
- Maximilian I., Elector of Bavaria, 1623, sends Francisco della Rota to England to propose that the Electoral Prince shall be educated at Munich, v. 181; compels the Emperor to dismiss Wallenstein, vii. 174; signs a secret treaty with France, 179; supports the Emperor in spite of Richelieu's diplomacy, 188, enters into a closer alliance with the Emperor, 195, marries his niece, viii. 159; urges the Emperor to reject Arundel's terms, 160; votes at the election of a King of the Romans, 204
- Maxwell James, quarrels with Hawley, ii.

MAX

- 131; as *Usher of the Black Rod*, brings a message from Charles to the Commons, vii. 75; takes Strafford into custody, ix. 235; arrests Berkeley on the Bench, 289, assures the Commons that Parliament is not to be dissolved, 346
- Maxwell, John (*Bishop of Ross*, 1632), shows the Prayer-book of the Scottish bishops to Laud, vii. 282; warns Laud against the danger of introducing the English Prayer-book into Scotland, 283; arranges the ceremonies in the chapel at Holyrood, vii. 288, becomes Bishop of Ross, and assents to the introduction of the English Prayer-book into Scotland, 290; is supposed to be aiming at the Treasurership, viii. 316
- May, Sir Humphrey, becomes a Privy Councillor, v. 319, supports Sandys in arguing against the committal of Montague, 362; delays a motion for further supply, 360; defends Buckingham's foreign policy, 408; reports Weston's eagerness to serve Buckingham, vi. 191, asks the Commons to forget and forgive, 233; interrupts Eliot's attack on the King's foreign policy, 209, says that he has never heard that a member has privilege of goods against the King, vii. 61; protests against obedience to the King's commands being counted as a delinquency, 62, declares the King's crown to be at stake, 63, pleads for a compromise between the King and the Commons, 64, attempts to release the Speaker, 68
- Mayerne, Dr., is absent during Overbury's illness, ii. 185. *See* Mayerne, Sir Theodore
- Mayerne, Sir Theodore, advises Henrietta Maria not to go to Spa, ix. 406. *See* Mayerne, Dr.
- 'Mayflower,' the, lies in Southampton Water, iv. 157; voyage of, 159, arrives at Cape Cod, 161; sickness on board, 167, returns to England, 168
- Maynard, John, his remark as a manager in Strafford's trial, ix. 320; argues in support of Vane's evidence, 323; tells Waller that a member who does not know what are the fundamental laws ought not to sit in the House, 336
- Maynard, Sir John, said to have forged a letter about the Jesuits at Clerkenwell, vi. 238
- Mayo, proposed plantation of, viii. 56; title found for the King in, 61
- Mead, John, incites to rebellion at Cork, i. 367; proposes a league between the towns, 368; is tried and acquitted, 371
- Meade, Joseph, applauds Laud for punishing Sir Giles Alington, vii. 251
- Measure for Measure*, character of Isabella in, vii. 336
- Meath, rebellion of a great part of the gentry of, x. 96; meeting between the Lords of the Pale and the gentry of, 115
- Melander, General, enters the French service, viii. 376
- Melrose, Earl of, 1619-1627, Earl of Had-

MIL

- dington, 1627-1637 (Thomas Hamilton), advises James to maintain a standing army in Scotland, v. 83; urges the Scottish Privy Council to obey the King, vii. 274; reports that the Articles of Perth are not much observed in Edinburgh, 276. *See* Binning, Lord
- Melville, Andrew, attacks episcopacy in Scotland, i. 47, attacks James, 53, pulls the King by the sleeve, 54; is forbidden to sit in the Assembly, 72, is summoned to London, 318; behaves rudely before the Council, is imprisoned and banished, 319
- Mende, Bishop of, exhorts Henrietta Maria to behave with civility to the English nobility, v. 376, protests against the proposed persecution of the Catholics, 422; is informed by Charles of intended changes in the Queen's household, vi. 38; objects to the dismissal of the Queen's French attendants, 136
- Mentz, is occupied by Spinola, iii. 368; treaty of, iv. 191; Gustavus keeps Christmas at, vii. 195
- Meppen, is seized by the Imperialists, viii. 376
- Merchant Adventurers, the old and new companies of, ii. 386, explain that they are afraid to pay duties after the protestation of the Commons, vii. 82; Forbes preaches at Delft at the church of, 315, the Prayer-book introduced at the church of, 316, protest against the seizure of the bullion in the Tower, ix. 170
- Metropolitical visitation, the, viii. 107
- 146
- Michell, David, insulted in Edinburgh for refusing to sign the Covenant, viii. 337
- Michell, Sir Francis, is a commissioner for gold and silver thread, iv. 16; violent proceedings of the Commons against, 42; sentence passed by the Lords on, 108; degradation of, 132
- Michelson, Margaret, is regarded as a prophetess, viii. 365
- Middle Ages, the, aspirations of, i. 7
- Middlesex, attempt to raise a free gift in, vi. 131; levy of the forced loan in, 144
- Middlesex, Earl of, 1622 (Lionel Cranfield), is on bad terms with Buckingham, v. 6, votes against war with Spain, 178; is believed to have given information against Buckingham to Inojosa, 228; gives offence to Charles, 229; impeachment of, 230; sentence on, 231; reduction of the fine of, 235; Charles removes his name from the list of Privy Councillors, 310. *See* Cranfield, Lionel; Cranfield, Sir Lionel; Cranfield, Lord
- Middleton, David, his voyage to the Landa Islands, iii. 164
- Middleton, John, storms the Bridge of Dee, ix. 41
- Mildmay, Sir Henry, proposes a vote of money for setting out the fleet against Spain, v. 413; recommends that time be given to the King, vi. 237

MIL

- Milford Haven, alleged intention of landing the Irish army at, ix. 289
- Military charges, the demand made in the Short Parliament for the abolition of, ix. 112, 114
- Military oath, the, refused by Saye and Brooke, ix. 11
- Militia, the, the Lords suggest that a general order may be made for calling out, x. 155, the Commons wish to name persons to command, 157, the Lords ask the King to entrust, to persons in whom Parliament may confide, 163, appointment of Parliamentary Lords-Lieutenants to command, 171
- Militia Bill, the first, foreshadowed in the instructions given to the Committee of Defence, v. 2; the germ of, in S rode's motion to put the kingdom in a posture of defence, 86; is brought in by Harlegrave, 95; is read the first time, 103, is read a second time, 110
- Militia Bill, the second, is offered by the King, x. 186, is amended by the Commons in committee, 191, the Royal assent refused to, 193
- Militia Ordinance, the, is drawn up by the Commons, x. 161; the King asked what authority was intended to be conveyed by, 164; passes both Houses and is sent to the King, 167; opposition in the City to, 168; the King suggests a compromise on, which is voted a denial, 171; Charles absolutely refuses to accept, 172; the Houses order it to be put in execution, 194, is put in execution to the south of the Humber, 202
- Millenary petition, the, presented to James, i. 148
- Milton, John, admires Gill, the headmaster of St. Paul's School, vi. 355; Puritanism of his lines, *At a solemn music*, vii. 270; is not in early life hostile to the Church, 271; thought underlying his *Il Penseroso*, 272, writes the *Comus*, 335; his view of beauty as spiritual, 336; his doctrine of virginity, 337; his *Lycidas*, viii. 245, character of his attack on Laud, *ib.*; his reference to Malvezzi, iv. 131; his first pamphlet *Of Reformation touching Church Discipline*, 390; his political idealism, 393; his argument on ecclesiastical jurisdiction, x. 180
- Ministers, petition of, for reformation of the government of the Church, ix. 266; for the calling of a synod, x. 101
- Misselden, Edward, supports Boswell's effort to enforce the use of the Prayer-book by the English congregation at Delft, vii. 315
- Mohacz, battle of, iii. 261
- Mohun, Lieutenant, is murdered by his soldiers, ix. 160
- Moluccas, the, the Dutch drive the Portuguese out of, iii. 163
- Mompesson, Sir Giles, suggests a patent for inns, iv. 2; appointed a commissioner

MON

- for licensing inns, 3; is a commissioner for gold and silver thread, 17, is examined by a committee of the Commons, 41; Coke's report on the malpractices of, 43, e-scape of, 44; charges against, carried up to the Lords, 54; sentence on, 84
- Monaghan, Chichester's visit to, i. 402, impossibility of securing convictions in, 403, the 'Caterers' of, *ib.*, the Catholics celebrate mass in the churches in, viii. 19; rises against the English, x. 53
- Monarchy of Man, The*, written by Eliot in the Tower, vii. 224
- Monk, George, lands with troops in Ireland, x. 173
- Monopolies, the, called in by James, i. 100, considered by the Commons in 1614, ii. 237; protected by the Star Chamber, iv. 1; theories on the legality of patents of, 6; increase of, 8; Noy moves for an inquiry into, 39. Buckingham declares against, 53 a Bill brought in against, 55, some of, cancelled by proclamation, 85, are condemned by the Commons, 125; granted by Charles to corporations, viii. 71, 200, 282; partially recalled by proclamation, ix. 6; results of the introduction into Ireland of, 222; Culpepper's attack on, 238
- Monopoly Bill, the, brought in by Coke in 1621, iv. 54; passes the Commons, 125; passes both Houses in 1624, v. 233; change of the law effected by, *ib.*
- Monro, Robert, a regiment kept on foot under, ix. 46; coerces Aberdeen and Strathbogie, 165
- Monsigot, is in favour with Mary de Medicis, viii. 379; announces to Charles that Mary de Medicis is on her way to England, 380, is sent on a mission to England, and summoned before the Commons, x. 42
- Monson, Sir John, is maligned by Williams, viii. 252, informs the King that Williams is offering bribes, 253, obtains a fine from Williams, 254
- Monson, Sir Thomas, obtains for Weston an appointment in the Tower, ii. 180; maintains his innocence of Overbury's murder, 334, postponement of the trial of, 345, is pardoned, 363
- Monson, Sir William, accepts a Spanish pension, i. 215; captures a Dutch ship, 219, is arrested, ii. 346; is set at liberty, 363; opposes the expedition against Algiers, iii. 70; his son put forward as a rival to Buckingham, 185; is Lindsey's Vice-Admiral, viii. 156
- Monson, William (son of Sir William), put forward as a rival to Buckingham, iii. 185; is knighted and sent abroad, v. 6
- Montague, Edward, arrangement for the marriage of, v. 5. See Mandeville, Viscount
- Montague, Lord (Anthony Browne) protests against a recusancy Bill, i. 203; his connection with the Gunpowder

MON

Plotters, 246; is fined in the Star Chamber, 283.

Montague, Richard, (*Bishop of Chichester*, 1628, of *Norwich*, 1632), early life of, v. 351; writes *A New Gag for an Old Goose*, 352; Abbot remonstrates with, 353; writes *Appello Casarem*, 351; character of the religious movement in which he partakes, 356; report of a committee of the Commons on the books of, 360; is committed to custody but released on bond, 362, is defended by Charles as being a Royal chaplain, 372; writes that he is too ill to surrender, 399, is excused attendance on the ground of ill-health, 400, his opinions declared by Bishops Buckridge, Howson, and Laud, not to be liable to condemnation, 401; conference on the doctrines of, vi. 64, becomes Bishop of Chichester, 330, is asked by Heath to revise his book, vii. 19, writes to Abbot disclaiming any wish to uphold Arminianism, 23, receives a special pardon, *ib.*, question raised of the legality of the episcopacy of, 44, the Commons acknowledge him to be legally a bishop, 49; confers with Panzani, viii. 138; converses with Panzani about the reunion, 143; becomes Bishop of Norwich, ix. 80; declares his diocese to be conformable, 81.

Montague, Sidney, buys Hinchinbrook from Sir Oliver Cromwell, vii. 52.

Montague, Sir Edward, reprimanded by the Council, i. 199.

Montague, Sir Henry, is a member of the first Parliament of James I., i. 163; prosecutes Massell, ii. 190; takes part in the prosecution of Somerset, 356; is appointed Chief Justice, iii. 26; admits Heath and Shute to the execution of Roper's office, 35; asks for Coke's official collar, 84; saves one of Gondomar's servants from the mob, 136; awards execution against Raleigh, 148; is a referee for the patent for inns, iv. 3; imprisons offenders against the patent for gold and silver thread, 11; suggests that bonds shall be taken not to sell unlicensed gold and silver thread, 17; offers to buy the Treasurership, 23; is created Viscount Mandeville and becomes Lord Treasurer, 24. See Mandeville, Viscount; Manchester, Earl of.

Montague, Walter, is sent to Lorraine and Italy to stir up discontent against France, vi. 167; meets with little encouragement, 176; reports to Charles that he will have no allies, 185; is seized by Richelieu, and sent to the Bastille, 218; is sent to Richelieu to see what terms can be had, 365; returns to England with Richelieu's terms, 366; takes back Charles's message rejecting the French overtures, 367; writes *The Shepherd's Pastoral*, vii. 329; announces his intention of

MON

becoming a Father of the Oratory, viii. 138, writes to his father to announce his conversion, 139, supports Con's efforts to rouse the Queen to interest herself in Catholic conversions, 237; is suspected of taking part in the conversion of Lady Hamilton, 239, is the Queen's agent in collecting a contribution from the Catholics, ix. 26; is ordered by the Commons to give an account of the Catholic contribution, 269; disapproves the Queen's proposed visit to France, ix. 272.

Montaigne, George (*Bishop of Lincoln*, 1617; of *London*, 1621; of *Durham*, 1628; *Archbishop of York*, 1628), is sent to Cambridge to canvass for Buckingham, vi. 115; licenses Sibthorpe's sermon, 207; character of, *ib.*; licenses Manwaring's sermon, 209, becomes Bishop of Durham, and afterwards Archbishop of York, 329; consecrates St. James's, Aldgate, vii. 244.

Montauban, raising of the siege of, iv. 291.

Monteagle, Lord (William Parker). See Gunpowder Plot.

Montferrat, disputed succession to, vii. 99.

Montgomery, Earl of, 1605 (Philip Herbert), quarrels with Southampton, iii. 69; has a share in the glass monopoly, iv. 10, becomes Lord Chamberlain, vi. 133; succeeds his brother as Earl of Pembroke, vii. 133. See Pembroke and Montgomery, Earl of.

Montgomery, George (*Bishop of Derry*, 1610-1620), supports O'Cahan, i. 419.

Montpellier, Peace of, is violated by the King, v. 304.

Montmorency, Duke of (*Admiral of France*), promises a commission to Raleigh, iii. 109; urges Pennington to admit French soldiers on board his ships, v. 380; his rebellion and execution, vii. 213.

Montreuil, M. de, reports Strafford's speech about the Irish army, ix. 123; is instructed to enter into communication with the popular party, 271; assures the Parliamentary leaders of Richelieu's friendship, 356; dissuades the Queen from taking flight, and assures Holland that France will do nothing for Strafford, 363.

Montrose, 3rd Earl of, 1571-1608 (John Graham), Chancellor of Scotland, i. 76.

Montrose, 5th Earl of, 1626 (James Graham), reports Hamilton's expressions of sympathy with the Covenanters, viii. 347; early life and character of, 356; is sent by the Covenanters to Aberdeen, 358; attempts to enforce subscription to the Covenant in Aberdeen, 360; prepares for another expedition to the North, ix. 2; arrives in Aberdeen and distributes blue badges, 3; takes Huntly to Edinburgh and allows Aboyne to escape, 5; returns to Aberdeen and refuses to plunder it, 21; storms the Bridge of Dee, and

MOO

again spars Aberdeen, 41; visits Charles at Berwick, 46; his plan for the reconstitution of the Lords of the Articles, 51, policy of, 52, signs the letter from the Covenanters to Louis, 93, advises obedience to the King's orders for a fresh prorogation of Parliament, 150, his ideas compared with those of Strafford, 151, remains a Covenanter, *ib.*; puts a garrison into Airlie House, 167; signs the bond of Cumbernauld, 181; is the first to cross the Tweed with the invading army, 189, reasons for his adoption of a Royalist policy, 395, explains his political principles in a letter to the King, 396; is examined by the Committee of Estates on his statement that Argyle proposed to dethrone the King, *ib.*; is imprisoned, 397, writes twice to Charles, x, 22; writes a third letter to Charles, accusing Hamilton of treason, 23; his part in the Incident, 26; is liberated, 80. Moore, Dr., is said to have been ordered by Neile not to preach against Popery, vii, 50; declares that the story is true, 56. Mordaunt, Lord, 1601-1608 (Henry Mordaunt), his connection with the Gunpowder Plotters, i, 246, escapes without a fine, 283. More, Roger, popularity and character of, x, 48. More, Sir George, receives a letter from James about Somerset's threats, ii, 351; brings Somerset to his trial, 353, expresses an opinion that Bacon's case must be investigated, iv, 66; wishes Floyd to be whipped, 120; objects to a conference with the Lords on the King's demand for supply, v, 407. Morgan, Sir Charles, is sent to assist the King of Denmark, vi, 105; payment of money for the troops of, 179, reports that his men are mutinous from want of pay, 185; miserable condition of the troops of, 186, surrenders Stade, 290, proposed employment of, in aid of the King of Denmark, 332; is ordered to go back to the King of Denmark, 346; is ordered to remain at Gluckstadt, 372. Morocco, surrender of English captives by the King of, viii, 270. Morton, Earl of, 1638 (William Douglas), is named by Charles as Treasurer of Scotland, but is attacked by Argyle, and relinquishes his claim, x, 20. Morton, Sir Albertus, sent with money to the Palatinate, iii, 386; his reception at Heilbronn, iv, 184; becomes Secretary of State, v, 310, accompanies Buckingham to Paris, 330; is sent to urge the Dutch to join in an attack on the ports of Flanders, 335, death of, vi, 9. Morton, Thomas (*Bishop of Chester*, 1616; of *Lichfield and Coventry*, 1619; of *Durham*, 1632), character of, iii, 249; advises James on the observance of the Sabbath, 250; asks that Yelverton may not be condemned unheard, iv, 115;

NAU

converses with De Dominis, 287; takes part in the conference on Montague's book, vi, 64, becomes Bishop of Durham, vii, 314. Mother of the Musket, name given to cannon by the Highlanders, ix, 41. Moulins, capture of Charles Lewis at, ix, 70. Mountgarret, Viscount, 1602 (Richard Butler), complains that Ireland is driven to desperation, x, 175. Mountjoy, Lord (Charles Blount), conquers Ireland, i, 362, proclaims King James in Dublin, 364, represses the rebellion of the southern towns, 369, returns to England, 371. *See* Devonshire, Earl of. Mountnoir, Lord, 1628 (Francis Annesley), gives lukewarm support to Wentworth, viii, 37, is charged by Wentworth with malversation, 185; speaks disrespectfully of Wentworth, and is summoned to account for his official conduct, 186, is tried by a Council of War, 187; is sentenced to death, 188, Wentworth's defence of his conduct towards, 190, is expelled from office, 193; Wentworth collects evidence against, ix, 70; charge brought by Wentworth against, *ib.*; escapes from want of proof, 71; petitions the English House of Commons, 230. Mulgrave, Earl of, 1626 (Edmund Sheffield), signs the petition of the twelve peers, ix, 199. *See* Sheffield, Lord. Multyfarnham, congress held at, x, 51. Munich, entry of Gustavus into, vii, 197. Munster, governed by Sir H. Brouncker, i, 378; fines imposed on recusants in, 395; abandonment of the attempt to repress recusancy in, 399; St. Leger calls for troops for, x, 112, St. Leger's difficulties in, 115; St. Leger exasperates the rebels in, 116. Murford, Nicholas, invents a new method of making salt, viii, 285. Murray, William, is suspected of having betrayed the King's attempt on the five members, x, 135. Music, Milton and Herbert on, vii, 270. Myddelton, Hugh, carries out the making of the New River, ii, 215. Mynn, George, fined for malpractices in the Forest of Dean, vii, 364. NANTES, the Edict of, concessions made to the Huguenots by, iv, 290. Napier, Lord, 1627 (Archibald Napier), dislikes the meddling of the clergy in political affairs, viii, 305; is imprisoned in Edinburgh Castle, ix, 397. National Synod, proposal of Dering to assemble, x, 37; is demanded in a petition of ministers, 101. Naturalisation of the Scots, the, debates on, i, 331; acknowledged by the judges to be the right of the Post-nati, 356. Naunton, Sir Robert, becomes Secretary, iii, 101; is appointed a Commissioner to

NAV

examine Raleigh, 141, becomes a Commissioner of the Treasury, 189, lays before the Council an account of the negotiations about Bohemia, 312, Gondomar complains of, 376, disgrace of, 391, is deprived of the Secretaryship, iv. 409, is not asked to attend the Council when an oath is taken to the Spanish marriage treaty, v. 69, proposed retirement of, from the Master-ship of the Wards, viii. 70; death of, 71

Navy, the, commission to inquire into the management of, ii. 187; report of a second commission on the state of, iii. 203, reforms proposed in, 204

Navy Commission, the, appointment of, as a permanent body under Buckingham, iii. 206, is blamed by Eliot as delaying the sending out the fleet against Spain, v. 414; countermands the employment of the King's ships against pirates, 429

Necolalde, Juan de, makes Charles jealous of France and the Dutch, vii. 215, comments on Charles's vacillation, 343, opens a secret negotiation with Charles's ministers, 349; receives fresh overtures from Charles, 351; is ordered to be cautious in his negotiation with Charles, 354; informs Charles that the Dutch project an attack on Dunkirk in combination with the French, 366, articles of a treaty drawn up in concert with, 367, distrusts Charles, 369, reports that Charles detests the French, 381; informs Cottington that Olivares wishes Charles to sign the treaty for the partition of the Netherlands, 383, gives the title of Electoral Highness to Charles Lewis, viii. 100

Negotium Posterorum, the, written by Eliot in the Tower, vii. 191

Neile, Richard (*Bishop of Rochester*, 1608; of *Lichfield and Coventry*, 1610, of *Lincoln*, 1614, of *Durham*, 1617; of *Winchester*, 1627; *Archbishop of York*, 1632-1640), supports Laud, ii. 127, favours the Essex divorce, 170; attacks the House of Commons, 243, excuses himself, 245, opposes a proposal to deprive Bacon of his peerage, iv. 102; stops a tumult at Durham House, vi. 70; the Commons complain of, 316; becomes Bishop of Winchester, 329, character of, vii. 9; charges brought in the House of Commons against, 49; charge of Cromwell against, 55; charge of Phelps against, 56; declaration by Moore of the truth of a charge against, *ib.*; maintains the Divine right of episcopacy against Leighton, 149; votes for a heavy sentence in Sherfield's case, 257; becomes Archbishop of York, 313; compels the foreigners engaged in the drainage of Hatfield Chase to conform to the English Church, viii. 294; thinks it would be good if heretics were burnt, ix. 82

Netherlands, the Spanish, are dissatisfied with the Spanish Government, vii. 209;

NET

are unwilling to be annexed by France, 210, the assistance of Charles requested by the nobility of, *ib.*, meeting of the States-General of, 211, the Prince of Orange urges them to declare their independence, *ib.*, refusal of the States-General of, to separate from Spain, 212; conferences at the Hague between the deputies of, and those of the independent provinces, 214, Charles protests against the partition of, 215, continue to negotiate with the independent provinces, 314; revolution suggested in, *ib.*, refuse to assist the Prince of Orange, 346; suppression of the revolutionary party in, 347, treaty between France and the Dutch for the partition of, 380, are invaded by the French and the Dutch, 384; failure of the attack by the French and Dutch on, 387; Lindsey convicts Spanish vessels to, viii. 156, Windebank sends over bullion to, 162

Netherlands, the States-General of the United Provinces of the, carry on war with Spain, i. 101, send an Embassy to England to urge the continuance of the war, 105; refuse to negotiate with Spain, 207; James refuses to abandon the support of, 209; insists upon continuing the blockade of the Flemish ports, 218; defeat of Spaniards off Dover by the fleet of, 341; agree to a cessation of arms with Spain, ii. 21, negotiate with James for a guarantee, 25, sign a treaty with France, 26; negotiate with Spain, *ib.*; sign a treaty with England, 28; accept the Truce of Antwerp, 29, make a treaty with the Princes of the Union, 162, order their troops to enter the duchies of Cleves and Juliers, 263; agree to the Treaty of Xanten, 307, differ from the Spaniards on the execution of the Treaty of Xanten, 308; their rivalry with England in the whale fishery and the East India trade, 309, surrender of the cautionary towns to, 383; manufacture of cloth in, 388; refuse to execute the Treaty of Xanten, 397, disputes between the English East India Company and the merchants of, iii. 162; agree to a treaty with England, regulating the East India trade, 179, Maurice drives Barneveld from power in, 259; Synod of Dort in, 260; movement of troops in, 325; offers to co-operate with James in the Palatinate, 352; Buckingham's proposal for a partition of, 359, urge James to defend the Palatinate, iv. 185; renew the war with Spain, 188, send Commissioners to England to treat on the restitution of goods taken in the East, 273; partition of, proposed by James, *ib.*; offer to take Mansfeld into their service, 341; proposal of James for a joint English and Spanish attack on, v. 79; 84; agree to the convoy of a Dunkirk privateer to a Flemish port, 86; are invited by James to form an alliance with him, 174; send commissioners to ask for

NET

English aid, 206; signature of a treaty for sending English soldiers to the help of, 244; overtures for peace made by Spain to, 275; are urged by the French to allow Mansfeld to land in their territory, 284; give a reluctant consent, 285; lend money for the payment of Mansfeld's troops, 289; offer to lend ships for an attack on Genoa, 302; agree to lend ships to France to be used against Rochelle, 305; give security for a loan for Mansfeld's army, 323; agree to furnish ships for the fleet against Spain, 324; agree to the treaty of Southampton with Charles, vi. 6; agree, by the Treaty of the Hague, to furnish supplies to the King of Denmark, 36; Buckingham wishes a suspension of arms with Spain to be accepted by, 161; mission of Caileton to urge the acceptance of reasonable terms of peace by, 163; wish to remain on good terms with both England and France, 187; are indignant at Charles's proposal to make peace with Spain, 334; restitution of captured East Indians to, 342; disapprove of Charles's wish to make peace with Spain, vii. 101; treaty signed between England and Spain for the partition of the territory of, 176; the Spanish Netherlands urged to declare their independence by, 211; conference at the Hague between the deputies of, and those of the obedient provinces, 214; continue to negotiate with the obedient provinces, 344; make a treaty with France, by which they are to receive an annual payment, 366; revival of the project for partitioning the dominions of, 368; agree with France for the partition of the Spanish Netherlands, 380; send ambassadors to demand the hand of the Princess Mary for Prince William of Orange, ix. 257

Nethersole, Sir Francis, gives a gloomy account of the state of Bohemia, iii. 381; is sent to England, iv. 194; is sent by Chichester to inform James of the state of the Palatinate, 363; is satisfied with Buckingham's warlike zeal, 365; argues that it is sometimes necessary to imprison without showing cause, vi. 241; fears that the Commons will prove intractable on matters of religion, vii. 34; hopes to raise a benevolence for the Palatinate, 343; imprisonment of, 350

Neuburg, Wolfgang Wilhelm, Palatine of, marries a sister of the Duke of Bavaria, ii. 262; declares himself a Catholic, 263

Nevers, Duke of, hinders Mansfeld from entering France, iv. 341; is supported by France in his claim to the succession of Mantua and Montferrat, vii. 99

Neville, Christopher, abuses the courtiers, ii. 246; is imprisoned, 249

Neville, Sir Henry, his view of the enforcement of the law against the Catholics, i. 230; is a candidate for the Secretaryship after Salisbury's death, ii. 147; probable

NEW

appointment of, 161; advises James to call another Parliament, 202; concessions proposed by, 228; Northampton opposes his candidature for the Secretaryship, 231; paper drawn up by, produced in the House of Commons, 238; death of, 250

New buildings, Act of Parliament and proclamation against, vii. 161; complaints of the growth of, viii. 288; the Star Chamber authorises the demolition of, 289

New corporation, the, for governing the suburbs of London, viii. 290

New England, early exploration of, ii. 50; unsuccessful attempts to colonise, iv. 154; arrival of the 'Mayflower' in, 161; instrument of government drawn up for the emigrants to, 162; exploration of, 163; landing of the Pilgrim Fathers in, 165; hardships of the settlers in, 166; progress of the colony in, 168; resolution of Winthrop to go to, vii. 154; settlement of Massachusetts in, 155; increased emigration to, 317; attempt made to check emigration to, 318; chances of toleration in, viii. 166; restrictions placed on emigration to, 167; surrender of the Crown of the powers of the Council of, 16

New Forest, the enforcement of the King's claims in, viii. 86

New Gag for an Old Goose, A, Montague writes, v. 352

New River, the, opening of, ii. 215

Newark, Charles passes through, x. 212

Newburn, the rout of, ix. 193

Newcastle, state of Conway's force at, ix. 152; Conway urges the importance of fortifying, 163; reported intention of the Scots to seize, 173; orders given for the fortification of, 186; partial fortification of, 192; Conway marches out from, 193; is occupied by the Scots, 195; a contribution demanded by the Scots from, 203; Charles entertained by the Scots at, x. 5; the Scottish army leaves, 6; is occupied for the King, 206

Newcastle, Earl of, 1628 (William Cavendish), appointed Governor of the Prince of Wales, viii. 243; character of, 16; takes part in the Councillor's loan, ix. 77; is suggested as General of the Northern army, in order that he may bring it to support the King, 373; is appointed Governor of Hull, x. 152; is summoned before Parliament to give an account of his proceedings at Hull, 159; occupies Newcastle, 200

Newce, Captain, gives evidence on a plot against James, i. 344

Newcomen, Matthew, is one of the authors of the pamphlet issued under the name of *Sneekynuns*, ix. 390

Newfoundland, Baltimore's settlement in, viii. 177

Newington Woods, a congregation of Separatists taken in, vii. 252

Newmarket, wood said to be dear at, iv. 24

Newport, Captain, carries colonists to Virginia, ii. 54; returns to Virginia, 56

NEW

- Newport, Countess of, fails to prevent her father's change of religion, viii. 238, becomes a Catholic, 239
- Newport, Earl of, 1628 (Montjoy Blount), appeals to Laud to procure the punishment of those who had converted Lady Newport, viii. 239, bargains with Cardenas for the sale of gunpowder for Oquendo's fleet, ix. 61; offers to transport Spanish soldiers to Dunkirk, 64, does not fulfil his bargain, 65, says that he had voted against the King by mistake, 111, is informed by Goring of the Army Plot, and carries the news to Bedford and Mandeville, 312; is appointed Constable of the Tower, 358; offers to execute Strafford even if Charles refuses his assent to the Bill of Attainder, 366, is ordered by Parliament to reside in the Tower, x. 5, protests against the refusal of the Lords to communicate to the Commons their resolution on Divine service, 16; is alleged to have spoken of the Queen and her children as hostages, 111; is asked by the Commons to reside in the Tower, and is dismissed by Charles from the Constabship, *ib.*, accompanies Charles to the City after the attempt on the five members, 142
- Newry, the insurgents overpower the garrison of, v. 53
- News, prohibition of the printing of, vii. 206
- Nexus from Ipswich*, written by Prynne, viii. 226
- Nicholas, Edward, is employed on a mission to Pennington at Dieppe, v. 384, secret instructions given by Buckingham to, 385; negotiates with Effiat on the surrender of Pennington's ships, 387; encourages Pennington's crews to mutiny, 388; uses double language, *ib.*; is appointed to carry on the correspondence relating to ship-money, viii. 92; remains in London to correspond with the King in Scotland, x. 3; advises Charles to show that he does not intend to use military force, 8; circulates amongst the peers the King's declaration that he will stand by the doctrine and discipline of the Church, 39; is appointed Secretary of State, 94. *See* Nicholas, Sir Edward
- Nicholas, Sir Edward, receives the protest of the bishops from Charles and gives it to Lyttelton, x. 122; signs the protestation of the peers at York, 205. *See* Nicholas, Sir Edward
- Nineteen Propositions, the, x. 196
- Nithsdale, Earl of, 1620 (Richard Maxwell), is sent to Scotland to carry out the Act of Revocation, vii. 277; receives a grant out of the Irish subsidies, viii. 184; holds Caerlaverock Castle for the King, ix. 2
- Nobility, the, ordered to follow the King to the war against the Scots, viii. 384
- Nonconformists, the, Elizabeth decides against, i. 15; attempt of, to hold meet-

NOR

- ings for worship suppressed, 21; the millenary petition presented by, 148; their case heard at the Hampton Court Conference, 153, dissatisfaction of the House of Commons with the treatment of, 178, the canons of 1604 directed against, 195, resolution of Bancroft to eject, 196; proceedings against, 197; Northamptonshire petition in favour of, 198; Cecil's opposition to, 199, ejection of, 200, Cecil's view of the position of, *ib.*; variety of character and opinion amongst, viii. 111
- Nordlingen, results of the victory of the Imperialists at, vii. 372
- Norman conquest, the, effect of, i. 1
- Norris, Elizabeth, proposal that she shall marry Edward Wray, iv. 38; marriage of, 276
- Norris, Lord, 1600-1620, created Earl of Berkshire, iv. 38. *See* Berkshire, Earl of
- Norris, Sir Francis, finds it difficult to collect ship-money in Oxfordshire, viii. 102
- Norry, William, mission of, to Bohemia, iii. 307
- North and South of England, the difference between, vii. 229
- North, Captain Roger, informs the King of Raleigh's proceedings, iii. 131; sails for the Amazon, 348; is imprisoned, 392; liberation of, iv. 137
- North, Lord, 1605 (Dudley North), protests against Buckingham's charge against Digges, vi. 111, asks whether the clause added by the Lords to the Petition of Right is necessary, 282
- Northampton, rise of the prophesyings at, i. 29
- Northampton, Earl of, 1604-1614 (Henry Howard), takes part in the negotiations with Spain, i. 208, accepts a Spanish pension, 214, speaks on the grievances of the English merchants in Spain, 353, becomes Lord Privy Seal, ii. 11, wishes to marry the Prince of Wales to a Catholic, 137; becomes a Commissioner of the Treasury, 145; persons fined in the Star Chamber for slandering, 160; supports Lady Essex, 169; recommends the imprisonment of Overbury, 178; opposes the summoning of Parliament, 227, opposes Neville's candidature for the Secretaryship, 231; is said to have plotted for a dissolution of Parliament, 246; urges the King to make an alliance with Spain, 247; death of, 259. *See* Howard, Lord Henry
- Northampton, 1st Earl of, of the family of Compton, 1618-1630 (William Compton), buys his peerage, iii. 215; asks for the payment of ship-money in Warwickshire, vi. 227; wishes to defend both the liberties of the subject and the King's prerogative, 289
- Northampton, 2nd Earl of, of the family of Compton, 1630 (Spencer Compton) declares his intention of executing the

NOR

- commission, or array in Warwickshire, x. 210; stops guns intended for the defence of Warwick Castle, 216; is beaten off from Warwick Castle, 218
- Northamptonshire, petition from, in favour of the Nonconformists, i. 198; resistance to the forced loan in, vi. 155
- Northumberland, good conduct of the Scottish invading army in, ix. 189, a contribution demanded by the Scots from, 203
- Northumberland, 9th Earl of, 1585-1632 (Henry Percy), his behaviour in the Council after Elizabeth's death, i. 85; his opinion of Raleigh, 90, sends Thomas Percy to James, 99, tried in the Star Chamber, 283; sentenced to fine and imprisonment, 284; throws obstacles in the way of his daughter's marriage with Hay iii. 201; liberation of, iv. 137
- Northumberland, 10th Earl of, 1632 (Algernon Percy), is sent in command of the second ship-money fleet, and sails up and down the Channel, viii. 156; sells licences to the Dutch herring-boats, 157, is placed in command of the third ship-money fleet, 219, sends Fielding to induce the Dutch fishermen to take the King's licences, 220; appointed Lord Admiral during pleasure, 338; is prevented by illness from commanding the fleet, 339; votes against war with Scotland, 350, approves of Tromp's conduct in taking Spanish soldiers out of English vessels, ix. 58; instructs Pennington not to allow two tides to Oquendo's fleet, 61, is puzzled by Charles's contradictory orders, 62; assures Pennington that he cannot get clear instructions, 66; is appointed general of the army to be employed in the second Bishops' war, 84; speaks bitterly of Laud, 86; votes against the dissolution of the Short Parliament, 117; character of, 121; speaks against a war of aggression, 122; writes despondingly of the prospects of the War, 137, complains of numerous desertions from the army, 160; obtains a legal opinion on the legality of Conway's exercise of martial law, 162; predicts the future of the campaign, 163; thinks that money is wanting, 172; informs Conway that he is to exercise martial law, 176; refuses to command the army without money, 182; illness of, 188; is anxious to surrender his command, 313, receives a letter from the officers in Yorkshire on their grievances, 314; gives evidence that he did not remember that Strafford had proposed to bring over the Irish army, 321; resigns the command of the Northern army, x. 2; rumoured dismissal of, from the Council and office, 98; is requested by Parliament to appoint Warwick to command the fleet, 176; is forbidden by Charles to appoint Warwick, and commanded by Parliament to make him Vice-Admiral, 185; is dismissed from the

ODO

- Admiralty, 208; is a member of the Committee of Safety, 209
- Norton, Sir Daniel, visit of Charles to, vi. 345; brings a charge against Neile, vii. 49
- Norwich, Brent's report of the metropolitanical visitation of, viii. 108; Montague's account of the state of the diocese of, ix. 81
- Nottingham, the Royal Standard set up at, x. 219
- Nottingham, county of, is ready to send its trained bands to the Northern army, ix. 203
- Nottingham, Earl of, 1596-1621 (Charles Howard), Lord Admiral, meeting of the Council at the house of, i. 85, takes part in the negotiations with Spain, 208, is appointed ambassador to swear to the peace in Spain, 342, resents an inquiry into the state of the navy, ii. 187, opposes the expedition against Algiers, iii. 70; resigns the Admiralty, 205, death of, v. 312
- Nova Scotia, French settlement in, vii. 155
- Novum Organum*, the, iii. 394
- Noy, William, proposes an inquiry into the monopolies, iv. 39, defends the five knights, vi. 213; proposes a *Habeas corpus* Bill, 262; wishes to modify the Bill of Liberties, 265, proposes a Bill to invalidate all judgments based on the King's claim to levy tonnage and poundage, vii. 60; becomes Attorney-General, 220, character of, 221; prosecutes Sheffield in the Star Chamber, 256; exhibits an information in the Exchequer against the feoffees for impropriations, 258; takes part in arranging the Inns of Court masque, 330; examines Prynne on his letter to Laud, 333; wishes to debar Prynne from the use of pen and ink, 334; suggests the levy of ship-money, 356; death of, 359
- Nuremberg, assembly of the Princes of the Union at, iii. 316, entry of Gustavus into, vii. 197; struggle between Gustavus and Wallenstein at, 205
- O'CAHAN, Sir Donnell, quarrels with Tyrone, i. 409; lays his case before the Deputy, 411; submits to the Government and is imprisoned, 423; is sent to England, 431
- Ochiltree, Lord, 1615 (James Stewart), tells Weston that Hamilton means to make himself King of Scotland, vii. 182; is tried and sentenced to imprisonment, 183
- O'Conolly, betrays the plot for seizing Dublin Castle, x. 51
- O'Connor, is reported to have talked of a massacre, ix. 237
- Octavians, the, i. 62
- O'Dogherty, Sir Cahir, promises to create freeholders, i. 387; his disputes with Sir G. Paulet 420; defends himself to the

ODO

- Deputy, 422; prepares an insurrection, 424; captures Culmore and Derry, 425; retreats to Doe Castle, 427; is defeated and slain, 428
- O'Donnell, Hugh, rises against Elizabeth's government, i. 362
- O'Donnell, Neill Garve, claims the earldom of Tyrconnell, i. 379; is refused the earldom by Mountjoy, 380; keeps possession of the lands of the sept, 381; is forced to submit, 387; incites O'Dogherty to rebel, 423; quarrels with O'Dogherty, 426; makes overtures to the English, 427; is treacherous to the English, 428; is sent to England, 431
- O'Donnell, The. *See* O'Donnell, Hugh; Tyrconnell, Earl of
- Ogilvy, Lord, 1617²-1639 (James Ogilvy), created Earl of Airhe, ix. 55. *See* Airhe, Earl of
- Ogilvy, Lord (James Ogilvy), surrenders his father's house to Montrose, ix. 167
- Ogle, Sir John, is a member of the Council of War, v. 223; is sent to investigate the state of Mansfield's troops, 286
- Oléron, Isle of, proposal to send Pennington to, vi. 45
- Olivares, Count of (*Duke of San Lucar*), (*Gaspar de Guzman*), the favourite of Philip IV., iv. 190; succeeds Zuñiga as the chief minister of Philip IV., 377; character and plans of, 378; assures Bristol that his master will, if necessary, help James in the Palatinate, 380; gives a sharp answer to Porter, 384; urges Philip to carry out the marriage treaty, 390; is directed by Philip to put an end to the treaty, 391; lays before the Council of State a memorial on the relations between Spain and England, 392; visionary character of his policy, 393; the Council of State rejects the scheme of, 394; hears of the Prince's arrival at Madrid, v. 10; carries the news to Philip, 11; difficulty of his position, *ib.*; expects the Prince to change his religion, 12; talks to Buckingham about the conversion of the Prince, and writes to Cardinal Ludovisi, 14; attempts to convert the Prince, 16; urges Buckingham to make concessions, 19; asks for liberty of worship in England, 20; consults the Nuncio on the concessions to be demanded from England, 21; asks Buckingham to surrender a fortress to the Catholics, 22; offers to hasten the dispensation, 23; converses with the Nuncio on a compromise with James, 25; wishes to negotiate with the Emperor on the disposal of the Palatinate, 26; hears that the dispensation is to be granted, *ib.*; hopes that the Prince will privately acknowledge a change of religion, 27; urges Buckingham to ask the Prince to take part in a religious discussion, 28; takes part in an attempt to convert Buckingham, 31; informs Charles that the dispensation will be

OLI

granted, 33; forbids the Prince's chaplains to enter the Royal Palace, 37; quarrels with Buckingham, 38; advocates, in the Council of State the scheme of detaining the Infanta after marriage, 40; is outvoted, 41; declares that the Prince must return without the Infanta, 47; obtains the support of the Junta of Theologians, 50; informs Charles of the decision of the Theologians, and states that Philip III. had never intended to carry out the marriage treaty, 51; Biliot remonstrates with, 52; shelters himself behind the Junta of Theologians, 60; asks Khevenhüller to renew his proposal for marrying Prince Charles to the Emperor's daughter, 61; assures the Prince that it is impossible to allow him to take the Infanta to England, 62; presents fresh articles to Charles, 80; changes his tactics, and urges the Infanta to consent to the marriage, 91; wishes to obtain the consent of Charles to a marriage between Frederick's son and the Emperor's daughter, 105; declares in the Council that the King of Spain can never go to war with the Emperor, and proposes a scheme for the settlement of the Palatinate, 106; engages in an altercation with Buckingham, 111; produces a letter of Philip III., 112; is upbraided by Buckingham, 116; proposes the education of two of Frederick's sons as Catholics at Vienna, 139; wishes to avert a breach with England, 153; offers to Bristol anything for which he may choose to ask, 164; prepares the Treaty of Barcelona with Du Fargis, vi. 87; informs the French ambassador of Buckingham's overtures, 163; obtains from France an engagement for common action against England, 164; Porter sent to Spain, to come to an understanding with, 333; makes overtures about the Palatinate, 373; maintains silence on Charles's request for the restoration of the fortresses in the Palatinate, vii. 107; rejects Cottington's demand for an engagement to effect the restitution of the Palatinate, 171; signs a treaty for the partition of the Netherlands, 176; character of the statesmanship of, 180; advises the Emperor to suspend the Edit of Restitution, *ib.*; does not like to support Mary de Medici, 185; is overwhelmed by the multiplicity of the interests of the Spanish monarchy, and wishes to avoid a conflict with France, 187; distrusts Charles, 354; agrees with Necolalde in his distrust of Charles, 369; declares that he does not expect Charles to go to war with the Dutch, but proposes to give him a small sum, 382; speaks scornfully of Charles, viii. 377; expects Charles to declare war against the Dutch, ix. 90

Olivares, Countess of, persuades the Infanta to consent to marry Charles, 91; conveys a message from the Infanta to

ONA

- Buckingham, 96, informs Charles that the Infanta will accompany him, 97, asks the Infanta whether she thinks of going into a nunnery, 122, sends a present to Charles, 204
- Oñate, Count of, negotiates with Doncaster, iii. 305, tells Doncaster that James's mediation cannot be accepted, 306; opposes the transference of the Electorate, iv. 193, is ordered to declare that Spain does not wish to extend her territory, 328
- Oñate y Villa Mediana, Count of, arrives as Spanish ambassador in England, viii. 161; tells Charles that he will not be able to make war under his nephew's cloak, 204; is not satisfied with Windesbank's proposal to treat about the Palatinate, 217, announces that he shall build a larger chapel than the Queen's, 240
- O'Neill, Daniel, his part in the two Army Plots, ix. 398, flight of, 400, returns and is placed in custody, x. 28, examination of, 42
- O'Neill, Owen Roe, promises to send arms to Ireland, x. 50
- O'Neill, Sir Phelim, position of, x. 48; issues a proclamation that no harm is intended to the King or his subjects, 64, takes Armagh, and exhibits a commission from the King, 92
- O'Neill, the. *See* Tyrone, Earl of
- Oppenheim, is occupied by Spinola, iii. 369
- Opquendo, Antonio de, sails from Corunna, ix. 59; fights with the Dutch in the Channel, and takes refuge in the Downs, 60; appeals to Charles for protection, 61; orders given for the protection of, 65; reinforcements arrive for, 67; is attacked by Tromp, 68; rumour of the intended attack on England by, 69
- Orange, Prince of. *See* Maurice, and Frederick Henry
- Orange, Prince William of. *See* William of Orange, Prince
- Oratorians, their dismissal from the Queen's household proposed by Chateaufort, vii. 106
- Ordinances of Parliament. issue of, recommended by D'Ewes, x. 4
- Ordinations, restrictions placed on, vii. 203
- O'Reilly, Philip, clemency of, x. 66
- Orleans, Duke of. *See* Gaston
- Ormond, proposed plantation in, viii. 55; progress of the plantation in, 351
- Ormond, Earl of, 1632 (James Butler), supports Wentworth, viii. 351, is instructed to join Antrim in the seizure of Dublin Castle, x. 7; is proposed as the successor of the Lords Justices, 113; ill-feeling of the Lords Justices towards, 115; relieves Drogheda, but is checked by the Lords Justices, 174
- Ormuz, is taken for the Shah of Persia by the East India Company, v. 237

OXF

- Osbaldiston, Lambert. escapes a prosecution in the Star Chamber, by flight, viii. 390
- Osborne, Sir Edward, gives a discouraging account of the unwillingness of the Yorkshuemen to resist the Scots, iv. 185
- Ostend, siege of, i. 102, 214
- Oundle, Bient's report of the metropolitanical visitation of, viii. 110
- Overbury, Sir Thomas, his connection with Rochester, ii. 175, dissuades Rochester from his intention to marry Lady Essex, 176, is offered a diplomatic appointment, 177, is committed to the Tower, 178; attempts made to poison, 181; murder of, 186, information given to James of the murder of, 331; investigation into the murder of, 332; connection of the Earl and Countess of Somerset with the murder of, 333
- Owen, John, tried and sentenced for declaring it lawful to kill the King, ii. 304, liberation of, 305
- Owen, Nicholas, tortured, i. 272
- Owen, Sir Roger, asks the Commons to name the terms on which it will proceed with the contract, ii. 106; takes part in a debate on impositions, 238, is put out of the commission of the peace, 249
- Oxenstjerna, Axel, Anstruther sent to offer aid to, vii. 215, signs the League of Heilbronn, 342; Bernhard and Horn jealous of, 353, treats Charles's overtures with disdain, 374
- Oxenstjerna, John, comes to England to beg Charles to help the League of Heilbronn, vii. 354
- Oxford, adjourned meeting of Parliament at, v. 397, payment of the forced loan at, vi. 154
- Oxford, Earl of, 1604-1626 (Henry de Vere), serves under Vere in the Palatinate, iii. 365; returns from Germany, and becomes a member of the Council of War, 388; imprisonment of, iv. 134; is set at liberty, 137; commands the fleet in the Narrow Seas, 274; is imprisoned, 275; is set at liberty, v. 174
- Oxford, the University of, opposes the millenary petition, i. 150; doctrines of Pareus repudiated by, iv. 297; directions given by James to alter the mode of studying divinity in, 299; payment of the forced loan in, vi. 154; election of Laud as Chancellor of, vii. 133; revival of discipline in, 134; authority of Laud in, 241; party feeling at, 248; enforcement of the King's Declaration at, 26; degrades Prynne, 333; acknowledgment of Laud's right to hold a metropolitanical visitation in, viii. 147; speech of Sir John Coke at the introduction of the Caroline statutes into, 26; Charles proposes to visit, 148; Charles's reception at, 150; the Palatine Princes at, 151; Charles conducted to the libraries of, 26; decoration of the chapels of, 152; sends 10,000*l.* to the King, x. 212

OXF

Oxfordshire, resistance to ship-money in, viii. 93; partial enforcement of payment in, 102

Oyapok, the, Raleigh arrives at the mouth of, iii. 116

PADRE Maestro, the. *See* Lafuente, Diego de

Page, William, is stopped by Abbot from writing against Prynne, vii. 247, is encouraged by Laud to write, 248

Paget, Lord, 1629 (William Paget), wishes to ask the opinion of the judges on the Lords' clause in the Petition of Right, vi. 281

Painted windows, Sherfield's objection to, vii. 254; Laud repairs, at Lambeth, 303

Palatinate, the, Maximilian recommends an invasion of, iii. 328; Philip III. agrees to the dismemberment of, 329. James is asked to defend, 330, voluntary contribution for the defence of, 359; general contribution and volunteers for, 351; Puror's motion that the House of Commons shall declare in favour of the defence of, iv. 128, declaration of the Commons for the defence of, 129, plan of the Spanish Council of State for giving it to Frederick's son, who is to be educated as a Catholic, 329; resolution of the Spanish Council of State to satisfy the King of England about, 336; Nethesole's mission to inform James of the state of, 363, James addresses a summons to Spain to aid in procuring the restitution of, 371, assurances given by Olivares to Bristol concerning, 380. Spanish answer to the English demand for the restoration of, 397; anxiety of Olivares to make a compromise about, v. 25; wish of the Spanish Council of State to get as much as possible of, 26; scheme of Olivares for the settlement of, 106; opinion of James on the Spanish proposal about, 132; James expects Philip to give assurance of the restitution of, 135; resolution of Charles not to marry the Infanta without the restitution of, 136; declaration of Philip that he is ready to do good offices for the ultimate restitution of, 138; James's determination to regain, 173; fresh Spanish offers for the restitution of, 175; the Lords condemn the treaty for the restoration of, 189; James declares the dissolution of the treaty for the restoration of, 201; inability of Lafuente to give James satisfaction about, 205; despatch sent by James to announce the final breach of the negotiation for the restoration of, 211; Louis is not anxious to reconquer, 220; vague promise given by Louis about, 270; Alford asserts that the Commons had not engaged in 1624 to make an attempt to recover, 412; declaration of Rubens that it will be

PAN

difficult to effect the restitution of, vii. 102; Charles's foreign policy confined to an effort to regain, 169; the Prince of Orange refuses to come to an understanding with Charles for the recovery of, 170; Olivares rejects Cottington's demand for a positive engagement for the restitution of, 171, attempt of Charles to bargain with Gustavus for the restitution of, 194; terms proposed by Gustavus for the restitution of, 196; Charles prohibits an invitation to contribute alms for the exiles from, 261, Charles refuses to join the French in an attempt to recover, viii. 83, Charles wishes the Emperor to surrender in exchange for Lorraine, 97; overtures made by Richelieu to Charles about the restitution of, 205, treaty proposed by Windebank to Olivares concerning, 217, fresh negotiation with Spain for the restitution of, 377; proposal to send a Scottish army to, ix. 42, Charles issues a manifesto in favour of, 405

Palatinate, the Lower, is invaded by Spinola, iii. 369, proceedings of Sir Horace Vere in, iv. 214, march of Mansfeld to, 223; armies of Mansfeld and Tilly in, 294; conduct of Vere in, 306; Tilly's proceedings in, 307, Frederick joins Mansfeld in, 308; failure of Chichester to negotiate an armistice in, 316; state of Frederick's troops in, 317; is abandoned by Mansfeld, 319, hopeless position of Vere in, 320; is ravaged by Cordova, 321; proposal to give it to the Infant Charles, 328, proposed sequestration of the towns in, 337; proposal of Olivares to deposit in the hands of the Infanta Isabella, v. 25; demand of Charles for the surrender of the fortresses held by the Spaniards in, vii. 103; Charles opens negotiations without obtaining a promise of the surrender of the fortresses of, 107; the restitution of the fortresses in, treated by Spain as conditional on an attack by Charles upon the Dutch, 187, French garrisons admitted into the fortresses of, 374

Palatinate, the Upper, is occupied by Mansfeld, iv. 198; is wasted by Mansfeld's troops, 213; is conquered by the Bavarians, 217; is evacuated by Mansfeld, 223; is guaranteed by France to Bavaria, vii. 179

Palmer, Geoffrey, is placed on the Committee for Church affairs, ix. 287; raises a tumult in the House by claiming a right to protest, x. 77; imprisonment and liberation of, 79

Palmer, Mr., is fined for neglecting to return home, vii. 240

Palmes, Sir Guy, is made sheriff to prevent his appearance in Parliament, vi. 33; asks by what evidence the charge against Strafford is substantiated, ix. 270

Panzani, Gregorio, arrives in England, and negotiates with Windebank, viii. 133;

PAP

- converses with Windebank on religion, offers men and money to be supplied by the Pope for the suppression of Puritanism, and asks on what terms the Church of England will be re-united to Rome, 135; reports that Catholic doctrines prevail at Court, 136; reports to Rome favourable accounts of the English Court, 137; confers with Bishop Montague, 138
- Pappenheim, Gottfried Heinrich, Count of, blockades Frankenthal, iv. 399
- Pareus, David, burning of his *Commentaries*, iv. 207, arguments of, 298
- Pargiter, William, applies for a *Habeas corpus*, ix. 161
- Parma, fabulous lake of, ii. 372
- Parker, Matthew (*Archbishop of Canterbury*, 1559-1575), his testimony to the dislike of the use of common bread in the Sacrament, i. 20
- Parliament of 1604, the first session of, i. 163-192, second session of, 285-299, third session of, 324-354, fourth session of, ii. 64-87; fifth session of, 105-110
- Parliament of 1614, the, session of, ii. 233-248
- Parliament of 1621, the, session of, iv. 25-130; 232-267
- Parliament of 1624, the, session of, v. 183-235
- Parliament of 1625, the, session of, v. 336-374; 397-432
- Parliament of 1626, the, session of, vi. 59-121
- Parliament of 1628, the, first session of, vi. 230-325; second session of, vii. 30-77
- Parliament of 1640 (the Short), ix. 98-117
- Parliament of 1640 (the Long), meeting of, ix. 218; derives strength from the presence of the Scottish army, 219; is in danger of dissolution, 257; proposed violent dissolution of, 343; Act providing against the forcible dissolution of, 373; appoints Commissioners to attend the King in Scotland, x. 1; executive power drops into the hands of, 5; adjournment of, 18; re-assembly of, 32; orders Hotham to secure Hull, 153; invites the counties to defend themselves, 155; sends the militia ordinance to the King, 167; appoints Parliamentary Lords-Lieutenants, 171; presents to the King a declaration of fears and jealousies, 172; claims command at sea, 176; ceases to represent the nation, 184; issues a declaration on Church reform, 186; requests Charles not to go to Ireland, 190; orders the execution of the militia ordinance, 193; summons the King to desist from raising troops, 196; the nineteen propositions sent to the King by, 196; calls for money, plate, and horses, 201; orders troops to be sent against Henry Hastings, and appoints Warwick to command the fleet, 208; appoints a joint-committee of safety, and orders the raising of an army, 209; declares that the King has begun the

PAR

- war, and appoints Essex to command the army against him, 211, issues a declaration of its reasons for taking up arms, 215. *See* Lords, House of; Commons, House of
- Parliament, the English, its constitution in the reign of Edward I., i. 3
- Parliament, the Irish, proposal for the meeting of, ii. 284; opening of, in 1613, 289, tumult at the election of a Speaker of the House of Commons of, 290; meeting after the adjournment of, 298; dissolution of, 302; meets in 1634, viii. 47, is dissolved in 1635, 52, meets and votes subsidies in 1640, ix. 95, alters the mode of rating for subsidies, 156; Charles makes concessions to, x. 45
- Parliament, the Scottish, proposal for a representation of the clergy in, 66, permission given to bishops and abbots to sit in, 71, is ready to support James against the clergy, 326, constitution of, vii. 286; petition prepared by the leaders of the Opposition in, 288, Charles takes down the names of voters in, 289; necessity of reconstituting the Lords of the Articles in, ix. 50; formation of parties in, 52, the Lords of the Articles reconstituted in, 53, Charles resolves to resist the constitutional and legislative changes voted by, 54; adjournment of, 55; prorogation of, 74; a fresh prorogation ordered, 149; holds a session in defiance of the King's orders to prorogue, 150; remodels the constitution, and appoints a Committee of Estates, 152; Charles's visit to, x. 5; ratification of the Acts of, 6; demand that officers shall be appointed with the consent of, 19; struggle between Charles's and Argyle's party for the mastery in, 20; conducts an investigation into the Incident, 25; is asked to send 1,000 men to suppress the Irish rebellion, 55
- Parliamentary Committee appointed to attend the King, the, x. 1; upon Lyttelton's refusal to seal the commission for, are authorised by an ordinance to represent the wishes of Parliament to the King, x. 4; the King refuses to allow them to communicate with the Scottish Parliament, 18
- Parliamentary parties. *See* Parties, Parliamentary
- Parry, Dr., argument founded on the arrest of, x. 144
- Parry, Sir Thomas, forwards a message from Del Bufalo to James, i. 140; is expelled from the House of Commons, ii. 238; gives his opinion on the preparation for a Parliament, 365
- Parsons, Sir William, gains influence over Falkland, viii. 21; takes part in getting up a case against the Byrnes, 25; is appointed Lord Justice, 45. *See* Parsons, William; Lords Justices, the
- Parsons, William, claims lands in Wexford, viii. 4. *See* Parsons Sir William

PAR

- Parties, Parliamentary, begin to form on the question of episcopacy, i. 201; causes of the division of the Long Parliament into, x. 10
- Pastrana, Duke of, is sent to Rome with secret instructions, v. 21; negotiates with the cardinals, 31
- Patents. *See* Monopolies
- Paul V., Pope, 1605-1621, character of, ii. 16; condemns the oath of allegiance, 17-20; is opposed to the Infanta's marriage with a Protestant, 255; again expresses his disapprobation of the marriage treaty, iii. 37; his remark on Frederick's acceptance of the Bohemian crown, 317; death of, 230
- Paulet, John, sent for as a witness to Peacham's charge against Sydenham, ii. 230
- Paulet, Sir George (*Governor of Derry*), quarrels with O'Dogherty, i. 420; attacks Birt Castle, 421; is slain, 426
- Paul's Walk, condition of, vii. 307; Charles enforces order in, 308
- Pawel, Andreas, negotiates for Frederick at Vienna, iv. 212
- Peacemaker, The*, publication of, 183
- Peacham, Edmond, charged against, ii. 272; torture of, 275; opinion of the judges on the case of, 278; accuses Sir John Sydenham, 280; is examined, 281; is convicted, and again examined, 282; death of, 283
- Peard, George, refers to the precedent of the association in Elizabeth's reign, ix. 353; moves that the Remonstrance be printed, x. 76
- Pecquius (*Chancellor of Brabant*) negotiates at the Hague for the submission of the Dutch Netherlands, iv. 188; tells Weston that, if Frederick is restored, places of caution must be made over to the Imperialists, 337
- Pedroa, Father, preaches a sermon against the Infanta's marriage, v. 48
- Peerages, sale of, ii. 393
- Peers at York, the, protestation of, x. 204
- Peers, the English, petition against the precedence of Scottish Peers, iv. 39. *See* Lords, House of
- Peers, the Petition of the Twelve, is signed, ix. 108; is presented to the King, 201; circulation of copies of, 202
- Pelham, Sir Edward, goes on circuit through Ulster, i. 380
- Pelham, Sir William, believes that a storm has been raised by the Lancashire witches, vii. 323
- Pell, Sir Anthony, case of, against Sir James Bagg, viii. 89
- Pembroke, Earl of, 1601-1630 (William Herbert), gives his opinion on the preparation for a Parliament, ii. 366; is appointed Lord Chamberlain, 368; Raleigh's charges against, iii. 144; urges the payment of a benevolence, 380; finds fault with Bacon and Mandeville for speaking at a conference without permis-

PEN

- sion, iv. 50; moves that Bacon's submission shall not be accepted, 93; asks if the Great Seal is to be brought to the bar, 16; protests against a proposal to deprive Bacon of his peerage, 102; is dissatisfied with the King's resolution to dissolve Parliament, 265; is prevented by illness from attending the Privy Council when the oath is taken to the Spanish marriage treaty, v. 69; votes against war with Spain, 178; places himself in opposition to Buckingham, 16; is reconciled to Buckingham, 180; asks the House of Lords to exculpate Buckingham, 188; objects to Buckingham's plan of sending Bristol to the Tower, 232; opposes Buckingham's subseivency to France, 261; attends on James in his last illness, 314; is appointed a member of the Committee for Foreign Affairs, 323; sends Pennington a message from Buckingham, 386; directs Pennington to give up his fleet to the French, 304; is ordered to protect Harwich against the Dunkirk privateers, vi. 9; wealth of, 29; is reconciled to Buckingham, 30; holds out hopes to the Commons that an alliance may be brought about with France, 68; explains that when the ships used against Rochelle were surrendered it had been intended to use them against Genoa, 84; acknowledges that he knew of Buckingham's intention to send Bristol to the Tower, 98; becomes Lord Steward, 133; moves for a committee to examine the question of imprisonment, 259; supports Contarini's negotiation, 366; death of, vii. 133
- Pembroke and Montgomery, Earl of, 1630 (Philip Herbert), fails to be elected Chancellor of the University of Oxford, vii. 133; seizure by the Dutch of a herring-boat belonging to, 381; is asked to present to the King the deputies of the foreign congregations in England, viii. 121; attends on the King at Oxford, 152; tries to obtain a remission of Lord Cork's fine, 183; is dismissed from the office of Lord Chamberlain, ix. 409; is recommended by Parliament for the office of Lord High Steward, 417; is a member of the Committee of Safety, x. 209
- Penfield, the soldiers drive away the minister of, ix. 176
- Pennington, Isaac (*Alderman*), announces the amount of the loan subscribed in the City, and offers a guard of citizens, ix. 239; vindicates the London petition against episcopacy, 285; announces that the greater part of the London loan is paid, 294; informs the House of Suckling's proceedings, 351
- Pennington, John, difficulties of, as a captain in Raleigh's fleet, iii. 108; bears evidence against Raleigh, 147; is appointed commander of the fleet lent to the King of France, v. 328; is informed that he will not have to fight against the French

PEN

- Protestants, 378, arrives at Dieppe, 379; refuses to admit French soldiers on board, and returns to England, 380; is ordered to return to Dieppe, and to deliver his ships to the French, 382. protest of the captains of the fleet of, *ib.*, is directed by Buckingham to surrender the fleet, 384, offers to resign his command, 385, receives orders to get up a mutiny in his fleet, 386, returns to Dieppe, and refuses to give up his ship, 387, informs Nicholas that his crew has mutinied, 388, excuses himself from surrendering his ship, 390, sails from Dieppe, 391, returns to Dieppe and surrenders the 'Vanguard' and six other ships, 394; commands a fleet in the Downs, vi. 150; is ordered to attack French ships at Havre, 151, returns without finding French ships there, 152, mutiny in the fleet of, 153, is sent to attack the French shipping, 160. *See* Pennington, Sir John
- Pennington, Sir John, is directed to attack the Scottish trading vessels in the Firth of Forth, ix. 1; approves of Tromp's conduct in taking Spanish soldiers out of English vessels, 58, separates the Dutch and the Spaniards in the Downs, 60; uncertain orders given to, 62; attempts to prevent the attack of Tromp on the Spanish fleet, 68; is ordered to send a ship to Portsmouth when the King leaves Whitehall, x. 149; probable intention of the order given to, 152, is sent by Charles to take command of the fleet in the Downs, but arrives too late, 208. *See* Pennington, John
- Pennyman, Sir William, has a seat in the committee appointed to investigate Irish grievances, iv. 231
- Pensions, the Spanish, names of those to whom they were granted, i. 214, list of, discovered by Digby, ii. 215
- Pepper, money raised by Charles on a purchase of, ix. 190
- Perceval, Richard, the first man slain in the Civil War, x. 214
- Percy, Henry, gains influence with the Queen, viii. 156; supports Leicester's candidature for the Secretaryship, ix. 86, proposes a petition from the army in support of Charles, 308; is asked by Charles to confer with Suckling, 315, the Army Plot discussed at his lodgings, 316; suggests that Holland shall command in chief, 316; escapes to France, 360; gives an account of the Army Plot in a letter to his brother, 385, is declared a traitor by the Commons, x. 2
- Percy, Lucy, Lord Hay's courtship of, iii. 200; marriage of, 202. *See* Carlisle, Countess of
- Percy, Thomas, sent to James to ask for toleration for the Catholics, i. 99. *See* Gunpowder Plot
- Pernambuco, demand of Spain for the surrender of, vii. 344

PHE

- Perrot, Sir James, asks the House of Commons to receive the communion, iv. 23, approves of James's proposed tribunal for examining Bacon's case, 69, moves for a declaration in favour of the Palatinate, 128; asks for a war of diversion, 235, wishes to ask the King for fresh guarantees against Popery, 255
- Peisia, the Shah of, incites the English to besiege Ormuz, v. 237
- Persons, Father Robert, induces the Pope to send presents to the Queen, i. 142
- Perth, meeting of the General Assembly at, iii. 234
- Perth, articles of. *See* Articles of Perth, the five
- Perth, Earl of, 1611 (John Drummond), speaks in derision of Argyle's supremacy x. 10
- Peterborough, state of the diocese of, iv. 78
- Peters, Hugh, preaches at Rotterdam, vii. 315, is beyond the reach of Laud, 316
- Petition of Right, the, its substance originates in a speech by Wentworth, vi. 237, is proposed by Coke, 274, is brought in, 275, report of the Lords' Committee on, 276; attempt of the Lords to take a middle course on, 277; Williams's amendment to, 278, the Lords adopt a clause proposed by Arundel and amended by Weston, 279; rejection by the Commons of the clause added by the Lords to, 281; the Lords send back to the Commons the new clause of, 282; debate in the Commons on the reasons to be presented to the Lords for the rejection of their amendment of, *ib.*; the Lords abandon the new clause of, 286; the Commons reject a proposal of the Lords for appending a protestation to, 287; is accepted by the Lords, 289, the judges consulted by the King on the force of, 294, discussion in the Council on the answer to be given to, 296, Charles gives an evasive answer, 297; demand of the Lords for a better answer to, 308; Royal assent given to, 309; compared with the Great Charter, 311; the Commons complain of its enrolment with both answers, vii. 30; complaints of the violation of, 31; work of future Parliaments in carrying out to its results the leading principle of, 123; violation of, ix. 7; view taken in Yorkshire of the clause relating to billeting in, 177; view taken by the King on the billeting clause in, 187
- Pett, Phineas, imparts a knowledge of shipping to Prince Henry, ii. 74
- Pews, Bishop Corbet's remarks on, vii. 313
- Pfalzburg, the Princess of, carries on a negotiation with Geibler, viii. 377
- Phelips, Sir Edward, takes part in the prosecution of Raleigh, i. 103, treatment of the Catholics of Lancashire by, 223
- Phelips, Sir Robert, accuses the Catholics

PHE

of rejoicing at the defeat of Frederick in Bohemia, iv. 29; demands an inquiry into the monopoly of gold and silver thread, 47; lays the charges against Bacon before the Lords, 66; recommends delay in proceeding against the patent for alehouses, 120; asks for a heavy punishment on Floyd, 120; speaks against Spain, 236; reiterates his arguments, 241; supports a petition on religion, 248; expresses satisfaction with the King's answer to the Commons' claim to free discussion, 255; wishes that the Spanish marriage had not been mentioned in the House, *ib.*; is sent to the Tower, 267; is liberated, 350; asks the House of Commons to exculpate Buckingham, v. 188; advocates war with Spain, 191; supports Mallory's motion for an adjournment, 341; declares that the House is not bound to support the war in which Charles had engaged, 346; moves a grant of two subsidies, 347; wishes the question of impositions to be considered, 364; objects to the liberation of priests at the request of foreign ambassadors, 398; reminds the House that James had declared that his servants were not to be questioned, 400; comment on the neglect of the Government to give satisfaction to former Parliaments, and complains of want of counsel, 409; asks that Parliament may inquire into the causes of the mischief, 410; approves of Sir N. Rich's five propositions, 415; puts the question of confidence in the Government, 424; complains of Buckingham, 429; dissuades the House from asking that the dissolution may be delayed, 431; opposes a proposal for a declaration in favour of those likely to be questioned for their speeches, 432; is the leader of the Commons in the Parliament of 1625, 432; is made sheriff to prevent his appearing in Parliament, vi. 33; is dismissed from the justiceship of the peace, 125; is of opinion that the rights of subjects must be vindicated, 231; protests against the sermons of Sibthorpe and Manwaring, 237; asks what is the use of ascertaining the law if the judges can expound it as they please, 240; is startled by Selden's doubt whether men can be pressed for the army, 249; urges the Commons to reject the proposal of the Lords for a joint committee on the Petition of Right, 287; proposes to the Commons to ask leave to go home, 303; complains of the seizure of Rolle's goods, vii. 32; is sent to ask by whose authority the pardons for certain clergymen had been drawn, 47; brings a charge against Neile, 56; takes no part in Elliot's resolution to appeal to the country, 67; complains of the restrictions placed on the Somerset wakes, 259

Philip II., King of Spain, 1556-1598,

PHI

extent of the monarchy of, i. 12; schemes of, 204
Philip III., King of Spain, 1598-1621, refuses to help the English Catholics, i. 99; abandons his father's projects, 101; wishes to gain influence with the European governments, 205; agrees to a cessation of arms in the Netherlands, ii. 21; negotiates for a peace with the Dutch, 26; attempts to obtain aid from France, 27; agrees to the Truce of Antwerp, 29; is ready to give the Infanta Maria to Prince Henry if he will change his religion, 141; rumoured intention of, to propose for the Princess Elizabeth, 151; refers the proposed marriage of his sister to the Pope, 255; and to a junta of theologians, 256; again consults the Pope on the marriage treaty, iii. 37; wishes Raleigh to be executed in England, 145; resolves to send assistance to the Emperor, 284; hesitates to invade the Palatinate, 328; agrees to Maximilian's plans, 329; is afraid of English interference in Germany, 335; wishes to marry his daughter to the Emperor's son, 377; is anxious for peace after the battle of Prague, iv. 184; death of, 189.
Philip IV. (*King of Spain*, 1621), accession of, iv. 190; assures James that he means to go on with the marriage treaty, *ib.*; objects to the transference of Frederick's electorate to Maximilian, 207; proposes that the son of Frederick shall be educated at the Emperor's court, 220; character of, 332; assures Digby of his wish to go on with the marriage treaty, 335; is summoned by James to obtain the restitution of Heidelberg, 371; assures Bristol of his dislike of the Emperor's proceedings, 380; directs the Infanta Isabella to order Spanish troops to aid in the defence of Mannheim and Frankenthal, 381; refuses his support to the transference of the Electorate, 382; is urged by his sister to abandon the marriage treaty, 389; directs Olivares to give up the marriage treaty without offending James, 391; vows that he will not yield in anything affecting religion, in consequence of the arrival of Prince Charles, v. 11; drives in the streets of Madrid to see the Prince, 13; receives Charles, 14; expects Charles to change his religion, 27; conducts Charles to the Queen and the Infanta, 29; hears that the dispensation for his sister's marriage will be granted, and conducts Charles to a religious conference, 34; is required to swear that James and Charles will keep their engagements, 37; professes himself satisfied with Charles's concessions, 48; is shaken in his resolution by Father Pedrosa's sermon, 49; on Charles's assurance that he will accept the Spanish terms, embraces him as a brother, 62;

PHI

- signs the marriage contract, 92, requires Charles to dismiss his Protestant attendants, 103; forbids Charles to give a present to the Infanta, 113, urges Charles to return to England, 114, parts with Charles, 115, informs James, that he is ready to do good offices for the ultimate restitution of the Palatinate, 138, informs Bristol that he will try to get the Electorate for Frederick after Maximilian's death, 147; but will not take up arms, 148, replies to James's summons to take up arms for regaining the Palatinate, 154; protests that the restitution of the Palatinate was never intended to be a condition of the marriage, 155; receives Bristol at a final audience and goes to Seville, 165, promises Charles to support Frederick's claims, vii. 173
- Philippsburg, is about to be surrendered to the French, vii. 350
- Philips, Robert, is the Queen's confessor, vii. 106; informs the Queen that the Pope cannot help her unless Charles becomes a Catholic, ix. 251; begs Rossetti to support the Queen's request for money from the Pope, 310; is sent for by the Commons, x. 42, is imprisoned by the Lords, 54, is released, but forbidden to go near Whitehall, 98
- Physicians, the College of, makes a report on overcrowding in London, vii. 289
- Pierce, William (*Bishop of Peterborough*, 1630; *of Bath and Wells*, 1632) appointed Bishop of Bath and Wells, vii. 314; sends a report to Laud of the feeling in Somerset about the wakes, 320; excommunicates the churchwardens of Beckington, viii. 116
- Piers Ploughman*, fable of the cat and the rats in, i. 4
- Pigott, Sir Christopher, abuses the Scots, i. 330; is sent to the Tower, 331
- Pilgrim Fathers, the, land at Plymouth in New England, iv. 165
- Plague, the, ravages London in 1625, v. 337, many members of Parliament leave Westminster in consequence of, 349; breaks out at Oxford, 395, reappears in 1630, vii. 160; report of the College of Physicians on the causes of, viii. 289
- Plague-rag, a, sent to Pym, x. 28
- Plessen, Volrad de, his mission to England, iii. 292
- Plumleigh, Sir Richard, appointed by Wentworth to suppress piracy in Ireland, viii. 39
- Plunder, introduction of the word, ix. 4
- Plymouth, Raleigh sails from, iii. 113, the Pilgrim Fathers sail from, iv. 160; condition of the soldiers assembled at, vi. 10; arrival of three Dutch ships at, 11; Charles reviews the fleet for Cadiz at, 12; a storm delays the sailing of the fleet from, 13; wretched condition of the soldiers at, 61; detention of Wilmot's force at, 191; detention of Holland at, 192;

POR

- arrival of recruits without money or instructions at, 193; wretched condition of the soldiers and sailors at, 218; violence of the soldiers at, 247; a Spanish fleet off, ix. 59
- Plymouth (in New England), arrival of the Pilgrim Fathers at, iv. 165
- Pocahontas, story of, ii. 56; marriage, Thomas Rolfe, and visits England, iii. 156, dies, 157
- Poll-tax Bill, a, discussed by the Commons, ix. 402; receives the Royal assent, 404
- Pollard, Hugh, wishes the army to present a petition in support of the King, ix. 308
- Poor, the, commission for the relief of vii. 164
- Popham, Sir John, (*Chief Justice of the King's Bench*, 1592-1607), sentences Raleigh to death, i. 136, proposes that the Spanish trade shall be given to an open company, 348; is consulted by Raleigh on his title to Sherborne, ii. 43, takes an interest in colonisation, 51
- Popish Impostures*, Harsnet's, vii. 323
- Popish plot, the. See Catholics
- Port Royal, French settlement at, captured by Kirk, vii. 155
- Portadown, drownings at, x. 67
- Porter, Endymion, carries on a correspondence on the proposed visit of the Prince to Spain, and is selected to carry a message to Gondomar, iv. 370; sets out for Spain, 374; arrives at Madrid and asks Olivares to engage that Spanish troops will support Vere in the Palatinate, 383; receives a sharp answer, 384; returns to England, 398, charge brought by Bristol against, vi. 96, is sent to Spain to propose peace, 333; returns from his mission, 373; is sent with a message to Cardenas, ix. 66; joins Jermy in instructing Chudleigh on the Army Plot, 324, laments Charles's incapacity, x. 19
- Porter, Olive, carries off her father, and procures his conversion, viii. 238
- Portland, Earl of, 1633-1635 (Richard Weston), overtures of Richelieu to, vii. 219, persuades Charles not to allow the raising of a benevolence for the Palatinate, 344, is named to treat with Nicolalde, 349; takes part in a fishing company, *ib.*; charges brought by Laud and Coventry against, 355; Charles refuses to abandon, 356; investigation into the malpractices of the clients of, 362; defends himself against the charge of being implicated in the misdeeds of his dependents, 364; informs Joachimi that an attack on Dunkirk would be a breach of international law, 373, irregular receipts of, 377; his character as a financier, *ib.*; dies a Catholic, 378. See Weston, Sir Richard; Weston, Lord
- Portland Roads, a French and Dutch fleet in, vii. 385

POR

Portsmouth, Willoughby's fleet collected at, vi. 133; forces for the relief of Rochelle arrive at, 168; arrival of Charles and Buckingham at, 169, Holland sails from, 192; Buckingham fails to satisfy the soldiers and sailors at, 218, bad condition of the fleet at, 344, mutiny at, 348, murder of Buckingham at, 349; execution of Felton at, 359, strengthening of the fortifications of, ix. 200; Goring is Governor of, and offers to hold it for the Queen, 313, Goring returns to his post at, 317, Goring asserts that the Queen intends to take refuge at, 324, alleged intention of Charles and Henrietta Maria to take refuge at, 343, Pym declares his fear that the French are aiming at, 357; Goring denies a rumour that fresh fortifications had been raised at, x. 73, orders given to Pennington to send a ship to, 149; Charles expects to secure, 152, probable intention of Charles to betake himself to, 154, is held by Goring for the King, 216

Portugal declares its independence, ix. 48

Portuguese in the East, v. 237

Portunna, Wentworth's treatment of a jury at, viii. 62

Poslingford, proceedings of Francis Abbot at, viii. 112

Post, establishment of a, for private letters, viii. 292

Post-nati, the legal view of the position of, i. 326; Bacon's view of the naturalisation of, 333, view taken in the House of Commons on, 334; opinion of Coke in favour of, *ib.*; judgment in the Exchequer Chamber in the case of, 356

Potter, Barnabas (*Bishop of Carlisle*, 1629-1642), warns Lady Hamilton against changing her religion, viii. 238

Potter, Dr. Christopher, replies to *Charity Mistaken*, viii. 260

Pouigny, Marquis of, arrives as French ambassador, and asks Charles to join France against Spain, vii. 367; refuses to give the title of Electoral Highness to Charles Lewis, viii. 99

Poulett, Lord, heads a petition against the wakes, vii. 319

Pound, Thomas, sentence in the Star Chamber on, i. 223

Premunire, the statute of, appeal of Coke to, against the jurisdiction of Chancery, iii. 20, the King's decision on Coke's appeal to, 23

Prague, the battle of, iii. 383; the Peace of, vii. 388

Prayer Book, the Scottish, orders given for the preparation of, iii. 221; Hewat's compilation of, 227; instructions given by Charles to prepare another, viii. 307; revision of, in England, 309; character of, 310; unpopularity of, 311, is sent to Scotland, 313; tumult at St. Giles's in consequence of the reading of, 314; riots in Edinburgh caused by Charles's persis-

PRI

tency in requiring the use of, 320; Charles offers not to press, except in a legal way, 339; Charles agrees to the abandonment of, 361; abolished by the Assembly of Glasgow, 373

Predestination, the Calvinistic doctrine of, Montague's resistance to, v. 352; moral value of, vii. 8, Charles prohibits the preaching of, 22; Rouse's defence of, 35; Davenant preaches on, 132

Prée, La, Fort of, is battered by Buckingham's fleet, vi. 172; French soldiers cross over to, 195, troops come out from, to attack Buckingham's soldiers, 197

Pregon, John, is a witness in Williams's case, viii. 251

Presbyterianism in England, rejection of, i. 23, oath introduced into the Universities against, 200, Leighton's advocacy of, vii. 146; opinion in London favourable to, ix. 243, general English opinion on, 275; qualified approval of, in the House of Commons, 386, Milton's defence of, 390, attack of the Cheshire Remonstrance on, 392; the Commons refuse to adopt, 408

Presbyterianism in Ireland, Wentworth attempts to repress, viii. 54

Presbyterianism in Scotland, general acceptance of, i. 22, its ascendancy, 47; its struggle against James's bishops, 305; re-establishment of, 373; character of, 374

Press, the, Selden's opinion on the liberty of, vii. 51; the Star Chamber enforces the licensing of, 130, the unlicensed, viii. 225; Star Chamber decree against the liberty of, 234

Pressing men for the army, Selden calls in question the right of, vi. 249

Presteign, tithes taken for a church in London from, vii. 259

Preston, Dr. John, impugns Montague's doctrine, vi. 64, his relations with Buckingham, *ib.*

Preston, Thomas, pardon of, v. 127

Price, —, nonconformity of, viii. 112

Price, Dr., extraordinary story told of, vii. 56

Prideaux, John (*Bishop of Worcester*, 1641)

appointed Bishop of Worcester, x. 41

Printing, liberty of. *See* Press

Privas, capture of, vii. 102

Privilege of goods from arrest, Rolle's case raises the question of, vii. 32, is claimed by a vote of the Commons, 63

Privilege of person against arrest, i. 167; is vindicated by the liberation of Eliot in 1626, vi. 113; is left unmentioned by Heath in 1629, vii. 88; is appealed to by the imprisoned members, 91; is brought in question by Heath's information in the case of Eliot, Holles, and Valentine, 115; opinion of the judges on, 117

Privy Council, the. *See* Council, the Privy

Privy Seal loans, levied in 1625, vi. 3; proposal to levy in 1628, 226

Prize law, a commission issued for inquiry

PRI

- into, vi. 134 : its difficulties discussed by Bassompierre, 142
- Prizes, French, taken as carrying contraband of war, vi. 40, sent to London, 41, orders given for the sale of goods from, *ib.* ; release and re-seizure of goods from, 45, fresh capture of, by Denbigh's squadron, 142 ; clamour of the English merchants for the detention of, 145
- Proclamations, complaint of the Commons against, ii. 86, acknowledgment by James that they can only enforce the law, 104
- Prohibitions, dispute between the clergy and the judges on, ii. 35, 42 ; issued by the Court of King's Bench, against the Council of the North, vii. 238, refusal of the High Commission to recognise the right of the Common Pleas to issue, 251
- Prophecies, the, spread of, i. 29, Grindal draws up rules for the conduct of, 30 ; are suppressed by Elizabeth, 31
- Protections, Bill for remedying the abuse of, x. 70
- Protest of the bishops, the, is placed in the King's hands to be laid before the Lords, x. 122, probable authorship of, 123, impeachment of the bishops who had signed it, 125
- Protestation of the House of Commons in defence of its privileges, iv. 261
- Protestation protested, The*, Henry Burton's, x. 35
- Protestation, the, proposed to the Commons, ix. 353 ; is drawn up, 354, is taken by the two Houses, 355, is circulated in the City for signatures, 356, the Lords throw out a Bill for making obligatory, 413
- Protestation, the right of, claim laid by members of the House of Commons to, x. 76, refusal of the House to allow, 102, subsequent practice virtually admits, *ib.*
- Proxies, order of the Lords that no peer shall hold more than two, vi. 68
- Pryane, William, early life of, vii. 12 ; appears as an author, 13 ; attacks Cosin, and asks for the silencing of the Arminians, 14, writes *Lame Gies, his haltings*, 247, attacks the stage, 327 ; publishes the *Histrionmastix*, 328 ; attacks female actors, 329 ; is sent to the Tower, 330, proceedings in the Star Chamber against, 332 ; the sentence of the Court executed on, 333, tears up his letter to Laud, *ib.*, is brought again before the Star Chamber, 334 ; sentence on, not unpopular, *ib.* ; writes *A Divine Tragedy lately acted*, and *News from Ipswich*, viii. 226 ; is tried and sentenced in the Star Chamber, 228 ; stands in the pillory, 231, is imprisoned in Jersey, 233 ; Wentworth's remarks on the case of, 352, the Commons order the liberation of, ix. 236, enters London in triumph, 242 ; the Commons vote reparation to, 248
- Public acts of the Church, discussion in the Commons on the nature of, vii. 41

PYM

- Puck, origin of Shakspeare's, viii. 42
- Pularoon, is surrendered to Hunt, iii. 167 ; Courthope resists the Dutch at, 168 ; seizure of, by the Dutch, who promise to restore it to the English Company, 407
- Puloway, struggle between the English and Dutch at, iii. 167
- Puntal, Fort, resolution of Cecil's council of war to attack, vi. 16 ; surrender of, 17 ; is abandoned by the English, 20
- Purbeck, Lady, lives in adultery, viii. 144 ; is committed to prison, and escapes to France, 145 ; lives in Paris, 146
- Purbeck, Viscount, 1619 (John Villiers), insanity of, viii. 145
- Puritan conformists, the, iii. 241
- Puritanism, gains adherents in the course of Elizabeth's reign, 27 ; reaction against, at the end of the reign, 38 ; its demands at the beginning of James's reign, 148 ; its opinions maintained at the Hampton Court Conference, 153 ; ideas of, on the observance of the Sabbath, iii. 247 ; reaction in favour of, caused by James's interference with the Church, 349, attitude of Laud towards, vii. 240, attitude of the High Commission towards, 252 ; its view on the observance of the Sabbath, 318 ; various shades of, viii. 244
- encouragement given by Laud's system to, ix. 81 ; does not influence the agricultural poor, 158
- Purveyance, discussed in 1604, i. 170 ; a Bill upon, thrown out by the Lords, 299 ; composition for, ii. 113
- Pye, Sir Robert, warns Buckingham of his unpopularity, vi. 190
- Pym, John, speaks against tolerating Catholics, iv. 242 ; political opinions of, 243 ; confinement of, 267, takes part in a petition against the recusants, v. 343 ; moves for a committee on all questions relating to religion, vi. 60, charges Buckingham with obtaining honours for his kinsfolk, 101, urges that the King's promise needs explanation, 273, professes himself unable to understand the phrase 'sovereign power,' 280, carries the charges against Manwaring before the Lords, 312 ; replies to Manwaring's assertion of principle, 313, religious and constitutional opinions of, vii. 36, asserts the supremacy of Parliament in ecclesiastical matters, *ib.* ; opposes Eliot's proposal to call the Custom House officers to account, 62 ; speaks on grievances in the Short Parliament, ix. 101 ; his views on parliamentary privilege and ecclesiastical innovations, 102 ; parliamentary leadership of, 106, constitutional position of, 110 ; opposes an immediate grant of supply, 110, moves that Dr. Beale be sent for, 111 ; intends to move the House to consider the case of the Scots, 116 ; his study searched, 129 ; takes part in a meeting of the opponents of the Court, 198 ; joins St. John in drawing up the petition of the twelve peers, 199 ; is probably the adviser of the

PYM

circulation of copies of the petition of the twelve peers, 202, his position in the Long Parliament, 223, conservatism of, 224, believes in the existence of a plot for the suppression of Protestantism, 228, makes a copy of Vane's notes of Strafford's speeches in the Committee of Eight, 229, speaks of the state of the kingdom, and moves for a Committee of Inquiry, 230, moves that the doors be locked, 233, declares that the House cannot afford to give time to Strafford, 234; carries the impeachment of Strafford to the Lords, 235, suggests that the losses of the country may be made good out of the estates of the authors of mischief, 236, recommends that the penal laws be put in execution, 239; takes a leading part in the collection of evidence against Strafford, 240, declares that the endeavour to subvert the laws is treason, 246; moves the impeachment of Laud, 249, complains of the intermission of Parliaments, 252, carries up the detached charge against Strafford, 269; is named by rumour Chancellor of the Exchequer, 273; wishes to reform, not to abolish, episcopacy, 281; his position between the extreme parties, 284; proposes to compel the Londoners to lend, 295; opens the case against Strafford, 303, has no sympathy with the Irish Celts, 304, his conception of treason, 306; is informed of the Army Plot, 317; is anxious to prove that Strafford had advised the King to bring the Irish army into England, 319, has long had a copy of Vane's notes in his hands, 320, suspects that Strafford is feigning illness in order to create delay, 326, persuades the Commons to go on with the impeachment, 330; replies to Strafford's general defence, 333; questions involved in the charge brought against Strafford by, 335; would have been content to go on with the impeachment, *ib.*; with difficulty persuades the Commons not to interrupt the proceedings before the Lords, 337, supports the Attainder Bill, 338; has interviews with the King, and is named by rumour Chancellor of the Exchequer, 340; moves an adjournment to prevent rash speeches, 347; declares his belief that the kingdom is in danger, 351; proposes an appeal to the nation, 352, reveals his knowledge of the Army Plot, 357; is a member of the secret committee for the investigation of the Army Plot, 358; obtains political information from Lady Carlisle, 376; his views on the retention of episcopacy, 380; brings forward the ten propositions, 401; again proposed as Chancellor of the Exchequer, 413, probably hears of the understanding between Charles and the Scottish Commissioners, 417, is a member of the Committee of Defence, x. 2; wishes to restrain the censure of the House to those who actually create dis-

QUI

turbance in a church, 15, listens to rumours of plots, 20, his share of responsibility in the Parliamentary conflict, 33, considers a Bishops' Exclusion Bill a necessary preliminary to a satisfactory Church Reform, 38; a plague-rag sent to, *ib.*, loses the advantage of definiteness of plan, 39, stops a motion of Holles for charging with treason the bishops impeached for their part in the canons, and asks the Lords to suspend all the bishops from voting in the Bishops' Exclusion Bill, 40, reveals his knowledge of the second Army Plot, and gives his opinion that other plots are in existence, 42; moves an Additional Instruction for a responsible ministry on pain of refusing assistance for the reduction of Ireland, 55, is obliged to change his proposal to a declaration that, if the request is not granted, the Commons will provide for Ireland without the King, 56; carries the instruction thus modified, 57; revolutionary character of the proposal thus made by, *ib.*, justification of, 58, is the main author of the Grand Remonstrance, 64; produces evidence on the second Army Plot, to influence the votes on the Grand Remonstrance, 74, speaks in the final debate on the Grand Remonstrance, 75, says that he has heard of conspiracy to accuse members of treason, and gives reasons for demanding a guard, 87, moves that the Westminster justices be asked to set a guard on the House, 88; moves for a committee to throw upon the Lords the responsibility of not passing necessary Bills, 93; moves that money be provided to hasten the troops to Ireland, 96; finds that the Lords will not give way to protestations, 104; reports on Lord Dillon's negotiation with the Irish Catholics, 113; refuses to blame the mob by which the bishops had been insulted, 118; moves that the City trained bands be sent for, 123; moves the impeachment of the bishops who had signed the protest, 125; his intention in impeaching the bishops, 126; the Chancellorship of the Exchequer offered to, 127; Charles resolves to impeach, 129; impeachment of, 130; complains that his study has been sealed up, 132; takes refuge in the City, 138, triumphant return to Westminster of, 151; declares that the armed gatherings of the Royalists are illegal, 157; assumes that the voice of the House of Commons is the voice of the nation, 184, Charles quotes from a speech of, 189, moves that measures be taken to oppose Hastings in Leicestershire, 208, is a member of the Committee of Safety, 209

QUEBEC, stormed by Kirk, vii. 155

Queen Mother, the. *See* Mary de Medicis

Quiroga, gives information to Anstuther on the policy of Spain, vii. 187

RAB

- RABY, Strafford offends Vane by taking a title from, ix. 87
- Radcliffe, Sir George, becomes a member of the Irish Privy Council, viii. 37, recommends Strafford to abandon his scheme for driving the Scots out of Ulster, ix. 213, says that, if the Scots are satisfied, the King may have what he pleases in England, 234, is sent for by the English House of Commons, 236, declares that, with his army, the King cannot want for money, 319
- Raine, leaves money by will for the appointment of a lecturer, vii. 305
- Rainsborough, Captain, commands an expedition against Sallee, viii. 270
- Ranton, Alderman, imprisonment of, ix. 130; liberation of, 135
- Raleigh, George, commands the land forces in the expedition up the Orinoco, iii. 119
- Raleigh, Lady, advances money for her husband's voyage, iii. 47, helps Pennington to borrow money, 108, visits her husband in the Gatchouse, 149
- Raleigh, Sir Walter, is hindered from meeting the King, i. 88; his isolated position, 90; is dismissed from the Captaincy of the Guard, 94, wishes the war with Spain to be prolonged, 102, is summoned before the Council on suspicion of a conspiracy, 116, denounces Cobham, 117, loses his patent for wine licences, and is expelled from Durham House, 120, writes to his wife, 121, is tried at Winchester, 123, verdict against, 135, is sentenced to death, 136, discussion on the justice of the verdict against, 14, is reprieved and sent to the Tower, 139; disposition of the property of, 140, his title to Sherborne questioned, ii. 43; hopes to recover his liberty, 44; loses Sherborne, 46; pleads for liberty, 49, writes the *History of the World*, 50, writes a pamphlet on the Savoy Match, 156; writes *The Prerogative of Parliaments*, 271; character of, 370, meditates an expedition to the Indies, 371, hopes to reach El Dorado, 372, his first voyage to Guiana, 373, goes to Cadiz and sends Keymis to Guiana, 377, wishes to return to Guiana, 380; is released from the Tower, 381, declares that he will not infringe on the rights of the King of Spain iii. 39; inexpediency of the proposed voyage of, 41; commission given to, 42; projects of, 43; imperfect evidence of the existence of a gold mine in Guiana possessed by, 45; prepares for his voyage, 47; talks of seizing the Mexico fleet, 48, proposes an attack on Genoa, 50, communicates with the French Protestants, 53; promises Arundel to return to England, 57; sets out from London, 58, difficulties of, 108, sends Faige to Montmorency, 109, sends Faige to fit out French ships to assist him, 110; his explanation of his intentions, 112; reaches the Canaries, 113; crosses the Atlantic, 115; prepares

REM

- to ascend the Orinoco, 117, remains at the mouth of the river, 119; hears that Keymis's attempt on the mine has failed, 125, proposes to attack the Mexico fleet, 127, writes home from St. Christopher's, iii. 129, returns to England, 130, is arrested, 137, attempts to escape, 138, has an interview with La Chesnée, 139, writes the apology, 140; is examined, 142, Sir T. Wilson set as a spy over, 143, acknowledges his dealings with the French, and lays the blame on his supporters, 144, discussion on the mode of trying, 145, is brought before commissioners, 147; appears before the King's Bench, 148, last hours of, 149, execution of, 151; popularity of, 152, the King's declaration of the proceedings against, 16
- Raleigh, Walter, commands a company in the expedition up the Orinoco, iii. 119; is slain at San Thomé, 123
- Ramsay, David, claims trial by combat with Lord Reay, vii. 183
- Ranelagh, Lord, 1628 (Roger Jones), fears for the maintenance of order in Connaught, x. 112
- Ratibon, proposal to convoke an assembly at, iv. 192; announcement by the Emperor of his intention to hold an assembly at, 326, meeting of the assembly at, 404, transference of the Electorate from Frederick to Maximilian announced at, 405, negotiations about the Palatinate referred to a Diet to be held at, vii. 172; dismissal of Wallenstein at the Diet of, 174, is taken by Bernhard of Weimar, 348, is taken by the Imperialists, 372
- Raville, Sieur de, negotiates with Mansfeld, on behalf of the Infanta Isabella, iv. 309
- Reay, Lord, 1614 (Donald Mackay), spreads a report that Hamilton means to make himself King of Scotland, vii. 182; names Ramsay as his informant, and claims a trial by combat, 183
- Recordership of London, the contested election for, iii. 226
- Recusants, the. *See* Catholics, the English
- Referees, the, are attacked by Buckingham, iv. 45; Cranfield asks for inquiry into the conduct of, 46; wish of the Commons to call in question, 48; charges brought against, 50, refusal of the King to abandon, 111
- Reformation, the English, character of, i. 9
- Rege inconsulto*, writ of, iii. 7
- Registrars of Chancery, the, misconduct of, iv. 56
- Religion of Protestants*, *The*, publication of, viii. 262
- Religious liberty, want of desire for, in the Long Parliament, ix. 283
- Remonstrance, the Grand, day fixed for the consideration of, x. 41; reading of, 59; analysis of, 60; plan of Church discipline proposed in, 62; demand for a responsible ministry made in, 63; no

REN

- division taken in its clauses relating to the King's misgovernment in, 64; passes through committee with amendments, 71; conversation between Cromwell and Falkland on the length of time required for the final debate on, 74; final debate on, 75; is passed, 76; protest raised against the printing of, 76; storm raised by the proposal to print, 77; feeling roused by, 78; presented to the King, 88
- Renzi, Lawrence, carries messages between Aremberg and Cobham, i. 117
- Replevin sued out by the owners of goods seized for tonnage and poundage, vii. 3-5; declared illegal by the Court of Exchequer, 6
- Revenue. *See* Finances
- Reynolds, John, takes part in the Hampton Court Conference, i. 153
- Rhé, Isle of, proposal to send Pennington to, vi. 45; arrival of Buckingham off, 172; landing of Buckingham on, 173; arrival of reinforcements for Buckingham at, 180; anxiety of the English forces in, 195; disastrous retreat from, 197; losses of the English troops at, 198; causes of the disaster at, 199
- Rheinfelden, Bernhard's victory at, viii. 381
- Rhinberg, is taken by the Prince of Orange, vii. 346
- Rich, Lord, 1581-1618 (Robert Rich), buys the Earldom of Warwick, iii. 215; fits out privateers, 16
- Rich, Lord (Robert Rich), takes part in piracy, iii. 216. *See* Warwick, Earl of
- Rich, Sir Nathaniel, lays down five propositions for acceptance by the Government as a condition of supply, v. 414; carries up the demand of the Commons for the imprisonment of Buckingham, vi. 108; compels the King to a debtor, 273; prefers a Petition of Right to a Bill, 274; proposes to ask the Lords to join in the Remonstrance of the Commons, 304; explains what are the public acts of the Church, vii. 41; questions whether a member have privilege for his goods against the King, 62
- Richardot, President, takes part in the conferences between England and Spain, i. 208
- Richardson, Sir Thomas (*Chief Justice of the Common Pleas*, 1626; *of the King's Bench*, 1631-1635), becomes Chief Justice of the Common Pleas, vi. 149; character of, vii. 87; is consulted on the case of the imprisoned members of Parliament, 88; is on the side of leniency in Sherfield's case, 257; his order on the Somerset wakes, 319; revokes the order disrespectfully, and is rated by Laud, 320; takes part in the sentence on Prynne, 332; recommends that Prynne be allowed to read the *Book of Martyrs*, 334
- Richelen, Cardinal, is consulted by Mary de Medicis, v. 216; receives the English ambassadors in bed, 250; is appointed

RIC

chief minister of Louis XIII, 255; becomes the mouthpiece of a policy which is not his own, 16; assures the English ambassadors that James must engage himself in writing on behalf of the English Catholics, 256; draws up a form of engagement to be signed by James and Charles, 258; assures the Elector of Bavaria that France will make no immediate attack, and proposes to James a plan for the pacification of Germany, 266; assures the English ambassadors that the interest of the Palatinate is as dear to France as to England, 274; value of the success gained by, in concluding the marriage treaty, 279; aims at a more active policy in Germany, 298; suggests to Louis to borrow ships abroad to be used against Rochelle, 305; urges the Pope to grant a dispensation for Henrietta Maria's marriage with Charles, 306; frustrates the attempt of the Pope to add new conditions to the marriage treaty, 307; embarrassment felt by, at Buckingham's visit to France, 329; declares that, if Charles will assist Louis, peace will be made with the rebels, 381; advises peace with the Huguenots, 392; wishes to avert a breach with England, vi. 38; is allowed to make fresh overtures to Buckingham, 39; informs Holland and Carleton that his master could not break with Spain till the Huguenot rebellion is suppressed, 53; insists on terms unpalatable to the Huguenots, 46; is ready, after peace has been made, to join in the war in Germany, 52; further conciliatory proposals of, 69; wishes to co-operate with England, 87; consents to the Treaty of Barcelona with Spain, 90; resolves to make France a maritime nation, 150; superintends the blockade of Rochelle, 228; resolves that the war with Rochelle shall not be a war of religion, 343; insists upon the surrender of Rochelle, but announces the terms on which Charles can have peace, 365; accords liberty of worship to the Protestants after the capture of Rochelle, 369; sends over a treaty which is accepted in England, 373; accompanies Louis in a campaign in Italy, vii. 99; returns to France to suppress Rohan's rebellion, 101; supports the dismissal of Wallenstein, and the expedition of Gustavus, 174; enters into engagements with both Sweden and Bavaria, 179; proposes to Weston to establish a good understanding, 184; preserves the favour of Louis on the Day of Dupes, 16; combination formed against, 185; is disappointed by the success of Gustavus at Breitenfeld, 188; attacks the Duke of Lorraine, and expects some of the German princes to look to France for protection, 197; puts down the Marillacs, and enforces submission in Lorraine, 198; overpowers Montmorency, and seeks a

RIC

- Dutch alliance, 213, offers men and money to the Dutch, 214, imprisons Chateaufort and De Jars, 217, sends to Portland letters seized from De Jars, 219; his aims in Germany, 342, seizes Lorraine, 347, is asked by the Prince of Orange to join in besieging Dunkirk, 366; sends Seneterre to England, 380, keeps the French fleet out of sight of the English, 385, proposes to Charles a compromise about saluting flags, 386, failure of his attack on the Spanish Netherlands, *ib.*, makes fresh overtures to Charles, viii. 97, protects Lady Purbeck, 145, carries on a negotiation with Charles without expecting any result from it, 163, calls out the patriotism of France against a Spanish invasion, *ib.*; becomes strong through toleration, 165, proposes to Charles a French alliance on easy terms, 205, does not expect more of Charles than neutrality, 376, takes Melander's army into the service of France, *ib.*; liberates De Jars, 378, his authority strengthened by Bernhard's victories, and the birth of the Dauphin, 381, is incorrectly supposed to be stirring up rebellion in Scotland, 382, Charles continues to suspect, *ib.*, 7, receives proposals from Charles about Oquendo's fleet, 63, communicates with Tromp, 67; takes no part in the Scottish troubles, 91, recalls Bellievre, 92, congratulates himself on not having followed Bellievre's advice to negotiate with the Scots, 97, instructs Montreuil to enter into communications with the popular party, 271; refuses to receive Henrietta Maria in France, 309, assures the Parliamentary leaders of his friendship, 356
- Richmond, enlargement and inclosure of the Park at, vii. 87
- Richmond, Earl, and Duke *cf.* See Lennox, Duke of
- Ridgway, Lord, his evidence against Suffolk, iii. 209. *See* Ridgway, Sir Thomas
- Ridgway, Sir Thomas, nominates Davies as Speaker of the Irish House of Commons, ii. 239; proposes a petition in favour of the recusant lawyers, 301. *See* Ridgway, Lord
- Rigby, Alexander, announces that the Catholics had been asked to fast in support of the Queen's intentions, ix. 233
- Ripon, opening of negotiations at, ix. 209; preliminary arrangement with the Scots at, 214
- Rombates, Lord, 1625-1634 (Richard Rombates), buys a peerage, vi. 101
- Robinson, —, refuses to lend to the King, and is compelled to follow him on foot, iii. 197
- Robinson, —, accuses several persons of witchcraft, vii. 324, acknowledges that his evidence is false, 325
- Robinson, John, becomes Clifton's assistant at Scrooby, iv. 149; becomes pastor of the Leyden congregation, 152; takes

ROC

- leave of the emigrants going to New England, 158, compared with Selden, 169
- Rochelle, reception by James of commissioners from, *iv.* 292; is endangered by the erection of Fort Louis, v. 301, ships borrowed from England and the States-General to be used against, 305; preparation of the English ships lent for service against, 328; reluctance of English captains to take part against, 376; success of Soubise at, 393, refusal of the English crews to serve against, 394; Tonnay breaks the peace by firing on the people of, *vi.* 2, defeat of Soubise off, *ib.*; proposal to send a fleet to bring away the English ships from, 38; information of Charles's intention to relieve the town given to the deputies of, 44; peace accepted by the deputies of, 51; stoppage of English ships off, 146, cool reception of Buckingham's overtures to, 174, is threatened by the Duke of Angoulême, 175; Buckingham's support requested by, 177, is desirous that Buckingham shall continue the siege of St. Martin's, 183, is blockaded by Richelieu, 228, arrival of Denbigh's fleet at, 292; failure of Denbigh's fleet to succour, 292, famine at, 342; desperate resistance of, 343, increasing famine at, 363, failure of Lindsey to relieve, 364, capitulation of, 369
- Rochelle, English ships lent for service against, Buckingham and James approve of the loan of, v. 305; Buckingham wishes them not to be used against Protestants, 328; are prepared for sea, 378; discrepancy between the orders for the employment of, 379; arrive at Dieppe, *ib.*; return to England, 380; are ordered back to Dieppe, 382, employment of Nicholas to prevent the surrender of, 384; message of Pembroke about, 386; return to Dieppe, 387; refusal of the crews to surrender, 391, all except one are surrendered, 394, Buckingham ordered to demand the restoration of, *vi.* 26; Blainville announces that only the 'Vanguard' will be restored, 29; Richelieu repeats the statement of Blainville about, 43; Richelieu offers the restoration of, 52; Buckingham tells the true story of, 84; reference of Eliot to, 103. *See* Pennington, John
- Rochester, Earl of, 1611-1613 (Robert Carr), becomes a Privy Councillor, and assists James in his correspondence, ii. 148; forms an alliance with the Howards, 169; is advised by Overbury, 175; is dissuaded by Overbury from seeking to marry Lady Essex, 176; obtains the imprisonment of Overbury, 178; employs Helwys in his communications with Overbury, 179; sends an emetic to Overbury, 182; assures Overbury that he is urging his liberation, 184; uncertainty of the evidence against, as to his part in Over-

ROC

- bury's murder, 186; becomes Earl of Somerset, 210. *See* Somerset, Earl of
- Rochford, Viscount, Lord Humdon in his own right, 1640 (John Cauey), visits Eliot in the Tower, vii. 81; protests against the refusal of the Lords to communicate their resolution on Divine worship to the Commons, x. 16
- Rockingham Forest, fines levied for encroachments on, viii. 232
- Rodney, Sir Edward, justifies the conduct of the Deputy-Lieutenants in making rates for the maintenance of soldiers, vi. 247
- Roe, Sir Thomas, embassy of, to Agra, ii. 311; advises a condemnation of the patent for alehouses, iv. 110; speaks in the debate on Floyd's case, 120; wishes aid to be sent to the King of Denmark, vii. 98; is sent on a mission to the Hague, 99; is sent on a mission to the Baltic, 103; receives no despatches from England, 108; joins a French ambassador in mediating between Gustavus and Poland, 174; doubts the success of Hamilton's levies, 178; rejoices at the victories of Gustavus, 197; political advice of, 199; fails to obtain a Secretaryship of State, 200; regrets the neglect of Charles to support Gustavus, 206; objects to see Dunkirk in the hands of the French, 347; gives an opinion on ship-money, 374; attends the Congress of Hamburg, viii. 376; thinks that the resistance of Scotland is fatal to the reputation of England on the Continent, 382; gives an account of the miseries of Germany, ix. 56; becomes a Privy Councillor, and argues against the debasement of the coinage, 171; is sent to ask the City for a loan on the ground that negotiations will be opened with the Scots, 177; is sent on another mission to Germany, 348
- Rormonde, is taken by Frederick Henry, vii. 209
- Rohan, Duke of, resolves to take arms against the King, v. 304; proposes to begin a civil war at Languedoc, vi. 168; promises to take the field, 176; rises in insurrection, but finds no general support, 184; continuance of the rebellion of, vii. 101; reduction of, 102
- Rokewood, Ambrose. *See* Gunpowder Plot
- Rolfe, Thomas, marries Pocohontas, iii. 157
- Rolle, John, seizure of the goods of, for refusing to pay tonnage and poundage, vii. 5; is a member of the House of Commons, 32; technicality of the privilege claimed for, 33; receives a subpoena to appear in the Star Chamber, 58; vote of the Commons acknowledging his claim to privilege, 64
- Roos, Lady, quarrels with her husband, 189; brings charges against Lady Exeter, 191; Star Chamber proceedings against, 191; sentence on, 193; confession and liberation of, 194

ROT

- Roos, Lord, 1616-1618 (William Cecil), is sent on an embassy to Madrid, iii. 50; quarrels with his wife, 189; is attacked by Arthur Lake, 190; flies to Rome, 191; dies, 192
- Root-and-Branch Bill, the, is brought in and read twice, ix. 382 goes into committee, 387; clause for Church government proposed by Vane in, 390; clause for Church government adopted in, 407; is dropped in the House of Commons, x. 1; is finally abandoned, 37
- Root-and-Branch party, urges the Scottish Commissioners to declare against episcopacy in England, ix. 296; is in a minority, 299; its position in the House and the nation, 379
- Root-and-Branch petition, the, signed in London, ix. 247; is considered by the Commons, 276; its author, vindicated by Pennington, 285; is referred to a committee, with the exception of the clause relating to the abolition of episcopacy, 287
- Roper, Sir Anthony, fined for depopulation, viii. 77
- Roper, Sir John, buys a peerage, ii. 393. *See* Teynham, Lord
- Roper's office, affair of, iii. 31
- Roscommon, proposed plantation in, viii. 56; title found for the King in, 61
- Rosencrantz, is sent by Christian IV. to ask Charles for men and money, vi. 366; urges Charles to send to Denmark some of the ships returning from Rochelle, 372
- Roses, the War of the, i. 5
- Rosny, Sieur de, sent as ambassador to England, i. 106
- Rossetti, Count, is surprised at the liberty enjoyed by Catholics in England, ix. 87; asks the Queen for protection against the Parliament, 88; thinks Strafford to be a Puritan, 10; is requested by Windebank to write to the Pope for money and men, 135; placards set up proposing the murder of, 142; suggests to the Queen that she should apply for help to the King of France, 251; the Queen wishes to prevent the dismissal of, 259; applies to the Queen on behalf of Goodman, 265; Richelieu refuses to interfere on behalf of, 271; Charles announces that the Queen is ready to dismiss, 272; recommends Henrietta Maria to try to convert the King, 310; is again urged by the Queen to obtain help from the Pope, 383; Charles consents to dismiss, 402; last interview of Charles and the Queen with, 403; leaves England and establishes himself first at Ghent, and then at Cologne, 404
- Rota, Francesco della, negotiates in England for the Elector of Bavaria, v. 181; blames Anstruther for the miscarriage of his mission at Vienna, vii. 190
- Roths, Earl of, 1621-1641 (John Leslie), opposes Charles in the Scottish Parlia-

ROU

- ment, vii. 289, proposes to Charles to show him the supplication of the Lords of the Opposition, 293, objects to the introduction into Scotland of the English Prayer-book, viii. 325, circular letter of, 328, his interview with Hamilton, 312, his altercation with Charles at Berwick, ix. 46, Hope remonstrates with, 93; advocates the holding of a session of Parliament, though the King had ordered a prorogation, 150; is won over by Charles, 376; death of, x. 6
- Roundheads, origin of the name of, x. 121
- Rouse, Francis, speaks against Popery and Arminianism, vii. 35, questions the legality of the Canons of 1640, ix. 248
- Rovida, Alessandro, Senator of Milan, takes part in the negotiation of the peace between England and Spain, i. 208
- Roxburgh, Countess of, refusal of Charles to entrust his son to the care of, vii. 142
- Roxburgh, Earl of, 1616 (Robert Ker), protects the Bishop of Edinburgh, viii. 315; is named by Charles as Privy Seal of Scotland, x. 20, keeps open the door of the House of Commons after Charles has entered, 138
- Royal Slave, The*, written by Catwright, viii. 152
- Royal supremacy, the, its place in the English Reformation, i. 27, Cosin's opinion on, vii. 46, Laud's respect for, 127
- Royalist constitutional party in the Long Parliament, the, definite formation of, x. 59; prospects of, 205
- Rubens, Peter Paul, urges Buckingham to make peace with Spain, vi. 161, recommends Gerbier to ask for a separate peace between England and Spain, 162; is to be told that Charles will not treat apart from the States-General, 163; continues to correspond with Gerbier, and holds out hopes that Spain will make peace, 331; comes to England to pave the way for a peace with Spain, vii. 102; is told that if there is to be peace, Spain must surrender the fortresses in the Palatinate, 103; persuades Charles to open negotiations with Spain, 104; is knighted, and paints the picture of Peace and War before leaving England, 171
- Rudd, Anthony (*Bishop of St. Davids*, 1594-1615), objects to the Canons of 1604, i. 195
- Rudolph II. (*Emperor*, 1576-1612), death of, ii. 163
- Rudyerd, Sir Benjamin, rejoices at James's resolution to defend the Palatinate, iii. 372; appointed Surveyor of the Court of Wards, iv. 235; urges the Commons to grant supply, *ib.*; position of, v. 189; moves that the King be asked to take warlike measures, 190; proposes a supply for four points, 193; asks for a conference on the four points, 194; warns the House not to be led into disputes,

SAC

- 342, asks the Commons to grant a larger subsidy than that proposed by Seymour, 345; expresses satisfaction that the rank weeds of Parliament have been rooted up, vi. 33, moves for a committee on the state of the clergy, 59, tries to persuade the Commons in the Short Parliament to grant supply, 80, tries at the opening of the Long Parliament to reconcile the King and the Commons, 234, wishes to see *Magna Carta* walking abroad, 264, speaks on the virtue of moderation, ix. 100; complains of the condition of the Church, 224, proposes a reformation without punishing anyone, 225; opens the debate on the ecclesiastical petitions, 276, speaks in favour of primitive episcopacy, 388
- Rumborough, Brent's report of the metropolitan visitation of, viii. 109
- Rupert, Prince, arrives in England, viii. 101, the degree of Master of Arts conferred on, 151, returns to Holland, 219, is taken prisoner by the Imperialists, 376
- Rusdorf, John Joachim, advises Frederick to abandon Bohemia, iv. 177; his opinion of the defects of James and Charles, v. 433; attempts to divert to Germany the land force destined for the coast of Spain, vi. 5
- Russell, Lord (William Russell), takes part in a meeting of the opponents of the Court, ix. 108. *See* Bedford, Earl of
- Ruthven of Ettrick, Lord, 1639-1642 (Patrick Ruthven), reinforcement of the garrison under, ix. 92; fires on the citizens of Edinburgh, 112; continues to defend the Castle, 148, surrenders it, 207. *See* Ruthven, Patrick
- Ruthven, Patrick, is appointed Governor of Edinburgh Castle, ix. 44; is created Lord Ruthven, 55. *See* Ruthven of Ettrick, Lord
- Rutland, Earl of, 1612-1631 (Francis Manners), opposes his daughter's marriage to Buckingham, iii. 354; assents to the marriage, 357; is sent in command of the fleet which is to fetch Prince Charles from Spain, 54; is ordered to sail at once, 97
- Rutland, Earl of (George Manners), signs the petition of the twelve peers, ix. 199
- SABBATH, the, strict observance of, upheld by the Puritans, iii. 247, enforced in Lancashire, 248; issue of the King's *Declaration of Sports* to regulate, 251; proposed legislation on, iv. 33; Puritan view of the right mode of observing, vii. 318; Prynne's attack on the breakers of, viii. 226
- Sackville, Sir Edward, kills Lord Bruce in a duel, ii. 212; character of, iv. 70; supports Coke's objections to a new tribunal for the trial of Bacon, 71; advises a con-

SAI

- damnation of the patent for alehouses, 110; asks the Commons to grant the money needed in the Palatinate, 235; declares that if the money is given, the King will declare war against Spain, 139; deprecates the insertion, in the petition on religion, of a clause relating to the Prince's marriage, 217; defends the right of the Commons to freedom of speech, 257; advises Bacon to part with York House, 278; his interview with De Dominis, 268. *See* Dorset, Earl of.
- St. Andrews, James's speech to the clergy at, iii. 228; assembly held at, 229.
- St. Catherine Cree, consecration of the church of, vii. 242; abusive sermons preached at, viii. 111.
- St. Chaumont, Marquis of, is sent on a mission to Charles, vii. 198; is coldly received, 199.
- St. Edmund's at Salisbury, Sherfield is a member of the vestry of, vii. 254; the vestry order the removal of a painted window in, 255; Sherfield breaks the window in, 256.
- St. Georges, Madame de, dispute about the precedence of, v. 334.
- St. George's Fields, attempted gathering of apprentices in, ix. 133.
- St. Giles', at Edinburgh, the surplice used at, vii. 288; tumult in the Cathedral of, viii. 314.
- St. Gregory's, dispute about the position of the communion-table at, vii. 310.
- St. James's Palace, prepared by Inigo Jones for the reception of the Infanta, v. 55; apartments assigned to Mansfeld in, 222; residence of Mary de Medicis at, viii. 380; threatened attack on, ix. 133.
- St. John, Lord, visits Eliot in the Tower, vii. 81.
- St. John, of Bletsho, Lord, 1618-1624 (Oliver St. John), does not support the Benevolence, ii. 266. *See* Bolingbroke, Earl of.
- St. John, Oliver, of Marlborough, writes against the Benevolence, ii. 268; is brought before the Star Chamber, 269; is fined and imprisoned, 270.
- St. John, Oliver (*Solicitor-General*, 1641), borrows Dudley's paper of advice, and is sent to the Tower, vii. 139; is prosecuted in the Star Chamber, 140; is retained to plead for Hampden, viii. 271; argument of, 272; is pleased at the dissolution of the Short Parliament, ix. 118; joins Pym in drawing up the petition of the twelve peers, 199; asserts that Convocation cannot bind even the clergy, 248; moves that the King's subsistence may be provided for, 250; becomes *Solicitor-General*, 264; wishes the Londoners' petition to go before a committee, 281; argues before the Lords on the Bill of Attainder, 344; draws up the Root-and-Branch Bill, 382.
- St. John, Sir Oliver, is one of the commissioners for the settlement of Ulster, i.

SAL

- 432; seconds the motion for the election of Davies as Speaker of the Irish House of Commons, ii. 290; is sent on a mission to England, 292; becomes Lord Deputy of Ireland, viii. 1; takes part in the plantation of Wexford, 5; recommends that merchants from Bristol shall be induced to settle at Waterford, 8; is created Viscount Grandison, and recalled, 9. *See* Grandison, Viscount.
- St. John, Sir William, informs the King of Raleigh's intention to escape, iii. 130.
- 'St. John,' the, brought as a prize to Falmouth by Soubise, and claimed by the King of France, vi. 28.
- St. John's College, Oxford, repaired by Laud, vii. 245; the King's visit to, 151.
- St. Lawrence, Sir Christopher, gives information of a conspiracy, i. 412. *See* Howth, Lord.
- St. Leger, Sir Warham, is detained in the Downs, iii. 108; remains with Raleigh at the mouth of the Orinoco, 119; bears evidence against Raleigh, 147; is sent to investigate the state of Mansfeld's troops, v. 286.
- St. Leger, Sir William, protests against delay in attacking the Spanish fleet at Cadiz, vi. 16; is President of Munster, and pleads against delay in sending reinforcements, x. 112; thinks that *Magna Carta* is not to be insisted on, and exasperates the rebels, 116.
- St. Margaret's, Lothbury, removal of the communion-table at, viii. 116.
- St. Margaret's, Westminster, the Commons partake of the communion at, ii. 237; removal of the communion-table at, ix. 237; Calamy preaches before the House of Commons at, 415.
- St. Martin's, the Port of, Buckingham's march towards, vi. 173; commencement of the siege of, 175; proposed surrender of, 181; supplies having been introduced, a council of war resolves to abandon the siege of, 182; but afterwards determines to continue the siege of, 183; attempted storm of, 196; retreat of the English from, 197.
- St. Paul's, the Cathedral of, appeal for contributions for the repair of, iii. 341; Charles and Laud urge the collection of money for the repair of, vii. 245; removal of houses round, 246; state of Paul's Walk in, 307; Charles interferes to enforce order in, 308.
- 'St. Peter,' the, of Havre de Grace, is captured by Aigall, vi. 12; order of the Council for the re-delivery of, 43; order of the Admiralty Court for the release of, 45; is re-arrested, 46; petitions to Buckingham and the Council for the release of, 65; is again released, 66.
- St. Valery, Raleigh's proposed attack on, iii. 53.
- Salem, settlement at, vii. 155; the cross torn out of the English flag at, viii. 169.
- Salisbury, agreement made at, in favour of

SAL

- the English Catholics, v. 99; conduct of Sheffield at, vii. 254; report of the metropolitan visitation of, viii. 108
- Salisbury, Earl of, 1605-1612 (Robert Cecil), receives information of the Gunpowder Plot, 249; urges James to retrench, 296; speaks on the grievances of the English merchants in Spain, 352; writes letters about the impositions, ii. 7; becomes Lord Treasurer, 11; levies the new impositions, 12; reduces the debt, 13; view taken by him of the negotiations in the Netherlands, 22; wishes the Pope to excommunicate English rebels, 23; inquires into the opinion of the judges on Fuller's case, 40; suggests the grant of Sherborne to Carr, 45; seeks to influence elections, 63; financial exposition by, 64; demands supply and support, 65; reports that the King has disavowed Cowell's *Interpreter*, 67; expresses dissatisfaction with the offer of the Commons, 69; urges the Commons to agree to the Great Contract, 74; brings the King and the Commons to terms, 83; proposes a fresh bargain after the breach of the Contract, 108; wishes to oppose Spain, 134; throws difficulties in the way of a Savoyard marriage for the Prince of Wales, 137; is pleased with the failure of the negotiation for a Spanish marriage, 139; supports a marriage with a Tuscan Princess, 140; illness of, 141; death of, 142; estimate of the career of, 143; discovery of the Spanish pension paid to, 216
- Salisbury, Earl of (William Cecil), has a reversion of the Mastership of the Wards, but is passed over, viii. 70; tries to obtain a remission of Lord Cork's fine, 183; is fined for encroachments in Rockingham Forest, 282
- Sallee, English vessels captured by the pirates of, v. 428; Rainsborough's expedition against, viii. 270
- Salmons and lobsters, patent for, iv. 8
- Saltworks, company for the management of, viii. 284
- Sanchez de Ulloa, Juan de, left by Gondomar as Spanish agent, iii. 136
- Sandys, Sir Edwin, character of, i. 165; is at the head of a committee on freedom of trade, 188; speaks on the naturalisation of the Scots, 334; wishes that all prisoners should have the assistance of counsel, 339; calls attention to grievances, 236; takes part in a debate on impositions, 240; has to give bond to appear when called for, 249; is Treasurer of the Virginian company, iii. 161; is afraid lest Floyd will be made a martyr, iv. 121; speaks of the danger of religion, 127; imprisonment of, 133; liberation of, 137; supports the proposal of the Leyden Separatists to colonise New England, 155; Calvert gives explanations on the imprisonment of, 214; proposal to send him to Ireland, v. 182; carries up the

SAV

- impeachment of Middlesex, 230; takes part in drawing up a petition against the Recusants, v. 343; argues that Montague is not guilty of contempt of the privileges of the Commons, 362
- Sanquhar, Lord, 1609-1612 (Robert Crichton), has Turner murdered, ii. 131, is tried and executed, 133
- San Salvador, captured by the Dutch, v. 277
- San Thomè, first Spanish town of, ii. 373; second Spanish town of, iii. 121; its position discussed, 122; attacked and burnt, 123
- Santa Clara, Franciscus a, pseudonym for Christopher Davenport. *See* Davenport, Christopher
- Sarmiento de Acuña, Diego, appointed Spanish ambassador in England, ii. 165; character and objects of, 218; obtains the liberation of Donna Luisa de Carvajal, 222; makes no show of anxiety to gain James to an alliance with Spain, 223; gives no pensions, 224; gives a wedding present to Somerset, 225; receives overtures from Somerset, 226; is asked by James to assure him of Spanish support, 247; listens to James's complaints of the Addled Parliament, 251; diplomatic schemes of, 252; expects to bring about the conversion of England, 253; urges Philip to take up the marriage treaty, 255; hopes that Prince Charles will be married in Spain, 316; secret negotiation of Cotton with, 321; 326; protests against Raleigh's voyage, iii. 39; renews his protest, 55; is created Count of Gondomar. *See* Gondomar, Count of
- Savage, —, is punished in the Star Chamber, vii. 31
- Savage, Sir Arthur, is appointed a member of the committee of investigation into the case of the Byrnes, viii. 23
- Savage, Sir Thomas, admitted as a commissioner of Prince Charles's revenue after refusing to take the oath of allegiance, iv. 369
- Savile, Sir John, is put out of the commission of the peace, ii. 249; disputes Wentworth's election for Yorkshire, v. 349; receives the office of *Custos Rotulorum*, vi. 129; is active in the collection of the forced loan, 158; opposes Buckingham's project of levying a standing army, 213; is a leading member of a commission for compounding with Catholics, 316
- Savile, Sir William, urges the abolition of ship-money, ix. 114
- Savile, Viscount, 1628 (Thomas Savile), receives proposals from Johnston of Wariston, ix. 178; sends to Johnston a letter written by seven English peers, and subsequently another with forged signatures, 179; discovery of the forgery committed by, 210; becomes a Privy Councillor, 292; is won over by the Queen, 339; his altercation with Stamford, 28;

SAV

urges Charles to declare that he will not restore Strafford to a place of authority, 345; frustration of Charles's intention to give the Lord-Lieutenancy of Yorkshire to, 374; receives a promise to be Comptroller of the Household, 416

Saville, Sir Henry, gloomy anticipations of, iv. 272

Savoy, Duke of. *See* Charles Emanuel I. Saxby, a corpse burnt by Lord Castleton's agent at, viii. 111

Saxony, Elector of. *See* John George

Saye and Sele, Viscount, 1624 (William Fienne), urges that Bacon shall be brought to the bar, iv. 94; wishes to degrade Bacon from the peerage, 102, is imprisoned for opposing a benevolence, 205; is liberated, though ordered to confine himself to his house, v. 5; moves the Lords to acknowledge that Bristol had received his writ, vi. 94, explains the Lords' message about Arundel, 108; asks the Peers to declare whether the words used by Digges can be interpreted as treason, 111; refuses to pay the forced loan, vi. 150; moves that the judges be consulted on the right of the King to commit without showing cause, 259; does not object to an attempt to come to an understanding with the King on the right of imprisonment, 277; objects to the Lords' amendment to the petition, 280; questions the necessity of the amendment, 282; resistance to ship-money in the neighbourhood of the house of, viii. 93; proposes to emigrate to New England, 171; wishes to test the legality of ship-money, 271; follows the King reluctantly to the war against the Scots, 385; refuses to take the military oath, ix. 11; attack of Hall on, 107; votes against interference with the Commons, 109; his study searched, 129; his name forged to a letter to Johnston of Warriston, 179; takes part in a meeting of the opponents of the Court, 198; signs the Petition of the Twelve Peers, 199; visits a congregation of Separatists, 267; becomes a Privy Councillor, 292; reported intention to appoint as Master of the Wards, 340; is appointed Master of the Wards, 374; his speech on the dependence of the bishops on the King, 381; rumoured approaching appointment of, as Treasurer, 413; rumoured dismissal of, from the Council and office, x. 98; intention of Charles to call as a witness against the five members, 130; is a member of the Committee of Safety, 209

Scaglia, the Abbot of, is assured by Buckingham of his desire to make peace with Spain, vi. 333; is invited to England, 371; negotiates an alliance, in which Charles is to aid Spain and the Emperor, vii. 190

Scarborough, fight between the Dutch and Dunkirkers at, vii. 389

SCO

Scarnafissi, Count of, is sent by the Duke of Savoy to ask James for aid against Spain, iii. 49

Scheldt, the, offer of Spain to make peace with the Dutch on condition of the opening of, v. 275, Spain refuses to make peace without the opening of, vi. 161

Schenck's Sconce, capture of, vii. 387

Schomberg, Marshal, attacks Buckingham on his retreat from St. Martin's, 197

Schools, fraudulent appropriation of the property of, viii. 110

Schwarzenberg, Count of, sent by the Emperor as ambassador to England, 304

Scilly Isles, the, English vessels seized by pirates near, v. 364; imprisonment of Bastwick in, viii. 233

Scot, Reginald, criticises the evidence of witchcraft, vii. 323

Scot, Thomas, writes the *Vox Populi*, iii. 392; is compelled to fly, iv. 118

Scotland, accepts Presbyterianism, i. 22; its Reformation contrasted with that of England, 44, relations of the nobility with the Church of, 45; establishment of the Tulchan bishops in, 46; establishment of Presbyterianism in, 47; restoration of jurisdiction to the bishops in, 50; re-establishment of Presbyterianism in, 50; quarrel between the King and the clergy in, 53; establishment of the Royal authority over the clergy in, 65; question of giving the clergy representatives in Parliament mooted in, 66; attempts of the King to obtain the assent of the Assembly to restrictions on the clergy of, 69; establishment of the King's authority in, 70; dispute about the representation of the clergy in the Parliament of, 71; appointment of bishops in, 77; proposed union with, 176; Commissioners appointed to consider the union with, 178; effect of James's accession to the English throne upon, 301; intention of James to summon no more General Assemblies in, 303; appointment of bishops in, 305; claim of the Assembly of the Church of, to meet at Aberdeen, 306; imprisonment and trial of ministers in, 309; banishment of ministers of, 316; support given to James by the Parliament of, 316; Constant Moderators appointed in the Church of, 321; causes of James's success in, 322; establishment of a Court of High Commission in, ii. 101; acceptance of episcopacy by the General Assembly of, 102; ratification of the establishment of episcopacy by the Parliament of, 220; ecclesiastical changes effected and proposed in, 221; James's visit to, 224; heritable jurisdictions in, 225; condition of the clergy of, 226; preparation of a new Prayer-book for, 227; resistance to the proposed five articles in, 228; the Assembly of Perth held in, 234; adoption of the articles in, 236; enforcement of the articles in, 237; modified promise of James to extend the conditions of the

SCO

Spanish treaty in favour of the Catholics of, v. 99, resistance to the articles of Perth in, vii. 274, confirmation of the articles by the Parliament of, 275; payment of tithes in kind in, 276; an Act of Revocation of alienated Church property issued in, 277, compensation offered to tithe-owners in, 278; commutation of tithes in, 279, alienation of the nobility of, 280; coronation of Charles as King of, 281; attempts to provide a new Prayer-book for, 282, Laud wishes to introduce the English Prayer-book into, 283; position of the bishops in, 284; feelings roused by the use of the English ceremonies in, 285; meeting of the Parliament of, 286, constitution of the Parliament of, 287; the bishops, having been consulted on the introduction of the English Prayer-book, are directed to draw up a new one for use in, 290; contrast between the old and the new bishops in, 292; the Supplication of the Opposition Lords of, 293; proceedings against Balmerino in, 295; difficulty of governing, in the absence of the King, 297; bishops promoted to secular authority in, 298; dissatisfaction of the nobility at the promotion of bishops in, viii. 304; condition of the Church of, in Charles's reign, 305; varieties of doctrine and ceremony in, 306; plain forms of the churches in, *ib.*, remarks of Brereton on the physical and moral condition of the people of, 307, Charles directs the preparation of a Prayer-book and canons for, *ib.*; political education of the middle classes through the local church government of, 308; preparation of the new Prayer-book for, 309; chief points in the new canons for, *ib.*, mode of composition of the new Prayer-book for, 310; unpopularity of the Prayer-book in, 311; Charles orders the adoption of the Prayer-book in, 312; reception of the Prayer-book in, 313; riots at St. Giles' at the attempt to introduce the Prayer-book into, 314; composition of the Privy Council of, 316; suspension of the old and new forms of prayer in, 317; failure of the Privy Council to enforce the use of the Prayer-book in, *ib.*, Charles finds himself unsupported by the Council of, 319; Charles's persistency in ordering the introduction of the Prayer-book causes fresh riots in, 320; postponement of the enforcement of the use of the Prayer-book in, 321; resistance to the proclamation for the removal of the Council and the Court of Session of, 322; presentation of the General Supplication in, 323; Commissioners chosen to represent the supporters of the Supplication, 324; organisation of the Commissioners in, 325; presentation of the General Supplication in, 326; proclamation in defence of the Prayer-book ordered to be read in, 327; establishment of the Tables in, 328; proposal to renew the Covenant in, 329.

SCO

the Covenant drawn up in, 330; first signature of the Covenant in, 333; opinion of the Council that the King will not be obeyed till the Prayer-book is withdrawn in, 334; an Assembly and Parliament demanded in, *ib.*; circulation of the Covenant for signature in, 336; is practically united in defence of the Covenant, 338; arrival of Hamilton in, 342; negotiation between Hamilton and the Covenanters in, 343; Charles prepares to make war on, 344; the King's declaration read in, 346; appeal to Assembly and Parliament in, *ib.*; encouragement given by Hamilton to the Covenanters in, 347, Charles consults the English Council on the affairs of, 349; Bankes's plan for the reduction of, 350; divided state of opinion amongst the English Councillors on the proposed war with, *ib.*; Wentworth's plan for the reduction of, 354; position of Huntly and Argyle in, 359; Charles sends Hamilton to authorise an Assembly and Parliament in, 360; the first King's Covenant proposed to, 361; the King revokes the Prayer-book, Canons, and High Commission, and summons an Assembly and Parliament, 363; rejection of the King's Covenant in, 364; election of the Assembly in, 365; meeting of the Assembly in, 368; Presbyterianism re-established in, 373; Charles is driven into war with, 374; large numbers of veteran soldiers in, 387; Alexander Leslie chosen to command the army of, 388; manifesto published in, 389; Charles's plan for the reduction of, ix. 1; the Covenanters seize the strong places in, 2; Montrose's campaign in the North-east of, 3; Charles's proclamation, setting a price on the heads of the leaders of the Covenanters of, 9; Covenanting zeal of the women of, 14; conflicting rumours on the state of the army in, 16; quality of the army raised in, 30; Charles's proclamation privately read in, 36; negotiations opened with, 37; Treaty of Berwick signed with, 40; Assembly and Parliament meet in, 41; proposal to aid the Elector Palatine with an army from, 42; difficulties in the way of the settlement of peace in, 43; an Assembly to be elected in, 44; complaint of Charles that his language has been misrepresented in, 45; secret protests to be made by the bishops of, 48; abolition of episcopacy confirmed by the Assembly of, 49; proposed reconstitution of the Lords of the Articles in, 50; formation of parties in, 52; refusal of Charles to rescind the Acts in favour of episcopacy in, 52; conflict between Argyle and Montrose in, 53, constitutional reform effected by Argyle in, 53; resolution of Charles to resist the legislative changes proposed in, 54; adjournment of Parliament in, 55; prorogation of Parliament in, 74; discussion with Committee of Eight on the

SCO

mode of coercing, 75; appointment of commanders against, 84; proposal to renew the old French alliance with, 91; Charles listens to the Commissioners of, 93; Charles leads the Commissioners to understand that he will not consent to the abolition of episcopacy in, 94; imprisonment of the Commissioners from, 97; debate in the Committee of Eight on the mode of conducting war against, 120; proposed renewal of the negotiation with, 135; Charles resolves to go on with the war against, 140; military preparations in, 148, the deposition of Charles canvassed in, 149; session of Parliament held in, in defiance of the King's orders for a fresh prorogation, 150; constitution remodelled in, 152; rejection of the terms brought by Loudoun in, 169; an invasion of England projected in, 177; proposed appointment of a dictator in, 181; signature of the Bond of Cumbernauld in, *ib.*; manifesto issued in the name of the people of, 186; agreement made at Ripon with the Commissioners of, 214; continuation at Westminster of the negotiation with, 238; compensation claimed for the war expenditure of, 261; Charles proposes to visit, 343; dissatisfaction with the English Parliament felt in, 376; answer of the Commons to the demand made for an ecclesiastical union with, 377; proposed freedom of trade with, *ib.*; Montrose's opposition to Argyle in, 395; imprisonment of Montrose and his confederates in, 397; Charles's designs in visiting, 409; completion of the treaty with, 417; Charles sets out for, *ib.*; establishment of Argyle's authority in, 421; an instalment of the Brotherly Assistance to be paid to, x. 1; Parliamentary Commissioners to attend the King in, 4; arrival of Charles in, 5; Charles ratifies the Acts of the Parliament of, and expects military assistance from, 6; return of the army to, *ib.*; apparent popularity of Charles in, 18; demand of Argyle that offices shall be filled up with the consent of the Parliament of, 19; nomination of officers in, 20; Argyle's strength in, 21; the Incident in, 23; struggle between Charles and the Parliament of, 26; Charles distrusted in, 27; the authority of Argyle consolidated in, 80; causes of the early development of Parliamentary supremacy in, 81; Charles appeals in vain to the Privy Council of, 194; failure of Charles's second appeal to the Privy Council of, 203.

Scottish Commissioners for treating for peace with England, the, meet the English Commissioners at Ripon, ix. 209; demand 40,000*l.* a month till peace is made, 212; refuse to remove the negotiation to York, 213; accept 850*l.* a day, and agree to continue their sittings in London, 214; negotiate at Westminster, 238; attempt to obtain from Charles a

SEL

promise to surrender the incendiaries to be tried by the Scottish Parliament, 242; the King comes to a compromise with, 253; demand for compensation made by, 258, account given in by, 260; direct the drawing up of a declaration of their wish to see episcopacy abolished in England, 296; report the offence given by their declaration, 297; set forth their desire for unity of religion with England, 299; growing difficulty of their relations with the House of Commons, 300; demand a union of religion, 376; ask for freedom of trade, 377; completion of the treaty with, 417.

Scrooby, Brewster becomes postmaster at, iv. 147; formation of a Separatist congregation at, 149.

Scrope, Lord, 1609-1627 (Emanuel Scrope), is insulted by the Earl of Berkshire, iv. 38.

Scudamore, Lord, 1628 (John Scudamore), is ordered to serve a writ in Paris on Lady Purbeck, viii. 145.

Sects, the rise of, x. 28; strong feeling against, 31.

Secular priests, quarrels of the Jesuits with, i. 108; viii. 131.

Sedan, Frederick takes refuge at, iv. 324; is threatened by Mansfeld's troops, 339.

Segeberg, Assembly of the Princes of the Lower Saxon Circle at, iv. 179.

Sejanus, Buckingham compared to, vi. 101.

Separatists, the, doctrines of, iv. 142, persecution and emigration of, 144.

Selby, the army ordered to rendezvous at, ix. 159; report of Astley on the condition of the troops at, 164.

Selden, John, writes the *History of Tithes*, iii. 253; is sent for by James, in consequence of the opposition of the clergy to, *ib.*; signs a form of submission, and explains his views to Buckingham, 256; imprisonment of, iv. 133; liberation of, 137; compared with Robinson, 169; declares that common law is a good ground for Buckingham's impeachment, vi. 86; charges Buckingham with neglect to guard the Narrow Seas, and detaining the 'St. Peter,' 100. defends the five knights, 213; is of opinion that the rights of subjects must be vindicated, 231; calls in question the system of pressing men for the army, 249; is charged by Suffolk with razing a record, 256; objects to the Lords' propositions on imprisonment, 262; brings in the Petition of Right, 275; proposes to renew the impeachment of Buckingham, 306; complains of the violation of the Petition of Right, vii. 31; suggests that the Commons shall accept the Articles as established in Parliament, 41; denies that anything not having the assent of Convocation is a public act of the Church, *ib.*; position of, in the House of Commons, 50; declares that there is no law against printing any book, 51; com-

SEN

plains of the favourable treatment of the priests seized at Clerkenwell, 57, advises that a message be sent to the Barons of the Exchequer on tonnage and poundage, 60, supports Eliot against Pym, 62, supports Eliot in his resolution to appeal to the country, 67; tells the Speaker that he is bound to put the question, 73, moves that Eliot take the chair, 74; having been imprisoned, denies all knowledge of what had passed in the House, 80; applies for a *Habeas corpus*, 90; puts in a plea demurring to the jurisdiction of the Star Chamber, 91; furnishes Lyttelton with the heads of an argument for demanding bail for the imprisoned members of Parliament, 93; is not produced in the Court of King's Bench, 95, is transferred to the Marshalsea, 115; takes part in the arrangement of the Inns of Court Masque, vii. 330; writes *Mare Clausum*, viii. 154; wishes the Londoners' petition against episcopacy not to be referred to a committee, 281; argues against the Bill of Attainder, 337; brings in Bills for declaring ship-money illegal, for limiting forests, and for abolishing knighthood fines, 383, argues for the clause in the Root-and-Branch Bill appointing lay commissioners to exercise ecclesiastical jurisdiction, 407

Seneterre, Marquis of, is sent to England to urge Charles to join the alliance against Spain, vii. 380; objects to negotiate with Charles, viii. 97, refuses to transmit to France Charles's proposal for an exchange of Lorraine for the Palatinate, 98; refuses to give the title of Electoral Highness to Charles Lewis, 99; leaves England, 236

Separatists, the, spread of their opinions in England, i. 37; Act of Parliament directed against, 38; characteristics of, iv. 142; unpopularity and persecution of, 144, first migration to Holland of, 145, further emigrations of, 146; tolerance and intolerance of, *ib.*; emigration of the Scrooby congregation of, 151; position of, at Leyden, 153; emigration of, to New England, 154; arrest of a congregation of, vii. 252; proceedings against, 318, the Church Courts in the diocese of Canterbury are unable to suppress, ix. 81; find support amongst the small tradesmen and artisans, 243; arrest and examination by the Lords of a congregation of, 266; Saye and Brooke visit the congregation of, in Deadman's Place, 267; spread of the teaching of, 394; are blamed for encouraging lay-preaching, x. 29; attack on a congregation of, at Barebone's house, 105

Seton, Alexander, President of the Session, i. 75; becomes Earl of Dunfermline, 308. See Dunfermline, Earl of

Seymour, Lady Arabella, imprisonment of, ii. 117; flight and re-capture of, 118;

SHE

death of, *ib.* See Stuart, Lady Arabella

Seymour, Sir Francis, wishes Floyd's beads to be hung round his neck, iv. 120; speaks against a war in the Palatinate, v. 199; asks for the execution of the laws against priests and Jesuits, 342; proposes a grant of one subsidy and one fifteenth, 345; refuses to join in an attack on Williams, 398, attacks Buckingham's foreign policy, 407, hints at peculation at Court, 425, names Buckingham as the cause of the neglect of his officers at sea, 429; dissuades the House from granting supply, *ib.*; is dismissed from the justiceship of the peace, vi. 126; asks what need there was to give supply if the King might take what he would, 233, wishes to modify the Bill of Liberties, 265, supports Wentworth's *Habeas Corpus* Bill, 268; reminds Sir J. Coke that he had admitted that the laws had been violated, 269; supports Wentworth against Eliot, 286, supports a proposal of the Lords for a joint committee on the Petition of Right, 287; supports Pym's proposal that the question of the legality of tonnage and poundage shall take precedence of that of privilege, vii. 62; speaks against ecclesiastical grievances, ix. 100, speaks on grievances, 224

Seymour, William, is engaged to Arabella Stuart, ii. 115; marries her, and is sent to the Tower, 117, escapes to Ostend, 118, is permitted to return to England, 119. See Hertford, Earl of; Hertford, Marquis of

Sharp, Dr., is imprisoned for urging Hoskins to attack the Scots, ii. 250

Sheffield, Lord, 1569-1626 (Edmund Sheffield), is deprived of the Presidency of the Council of the North, iii. 137; proposes to make Bacon incapable of holding an office of judicature, iv. 102. See Mulgrave, Earl of

Sheldon, Dr., reprimanded for preaching against the Catholics, iv. 346

Shelford, Robert, his *Five Discourses*, viii. 123, his remarks on preaching, 128

Shepherd, Thomas, speaks on a Bill for the observance of the Sabbath, iv. 33; is expelled from the House of Commons, 34

Shepherd's Pastoral, The, part taken by the Queen in, vii. 329

Sherborne, the manor of, flaw discovered in Raleigh's title to, ii. 43; is transferred from Raleigh to Carr, 45; computation of the value of, 47; resold to the King, and bought again by Somerset, 48, is given to Digby, iii. 30; Hertford takes up his quarters at, x. 217

Sherfield, Henry, reports that Neile had caused words to be inserted in Montague's pardon, vii. 49; returns to Salisbury, 254; asks the vestry to remove a painted window at St. Edmund's, 255;

SHE

breaks the window, and is prosecuted in the Star Chamber, 256; is sentenced, 257; death of, 258

Sheriffs, appointment of the leaders of the Opposition as, vi. 33

Sherland, charges Buckingham with compelling Lord Robartes to pay for his peerage, vi. 101

Shields, saltworks at, viii. 284

Shilton, Sir Richard, is made Solicitor-General, vi. 32; feebly opposes Coke, 240; quotes from Anderson's reports in opposition to Coke, 243; declares that a bad king will not be bound by any law, 268; defends the legality of Montague's episcopacy, vii. 44; resigns the Solicitor-Generalship, 366

Ship-money, levied for the expedition to Algiers, iii. 288; proposal to levy in 1628, vi. 226; revocation of the orders for, 227; Noy suggests the levy of, vii. 356; Charles orders the Council to be informed of his intention to levy, 357; a committee of the Council appointed to consider, 359, the first writ issued for, 369; Roe's opinion on, 374; its nature resembles that of a tax, 375; resistance of London to the payment of, 376; London abandons its opposition to, 376; Coventry announces the extension to the inland counties of, viii. 79; Coventry is silent on the King's right to levy, 80; issue of the second writ of, 84; feeling in the nation about, 85; complaints against the mode of assessment of, 92; resistance in Oxfordshire and London to, 93; resistance in Essex and Devonshire to, 94; opinion of the judges on the legality of, 96; legal and political view of the King's claim to levy, 95; enforcement of its payment in Oxfordshire, 102; Berkeley refuses to allow Chambers to test the validity of, 103; justification of the resistance to, 104; issue of the third writ of, 200; Danby's protest against, 201; strong language of Warwick against, 203; Charles consults the judges on the legality of, 206; the judges' declaration on, 208; increased rapidity of the collection of, 209; meets an actual need, but is imposed without consent, 269; constitutional objection to, 270; the courts are to decide on the legality of, 271; Hampden's case of, 272; increase of the unpopularity of, 280; attempt to collect the arrears of, 281; fourth writ issued for, 383; slow payment of, ix. 7; orders given for the full collection of, 75; Charles proposes to abandon, if some other mode of supporting the fleet is found, 107; Charles agrees to allow the House of Lords to reverse, 113; declaration of Glanville of the illegality of, 114; enforcement of the payment of, 130; small result of, 140; failure of an attempt to collect, 153; fresh orders for the collection of, 188; Falkland's speech against, 245; is condemned by the Lords, 264;

SME

Selden brings in a Bill declaring the illegality of, 383, the Royal Assent given to the Bill declaring the illegality of, 415

Ships, forced requisition of, for Wiltoughby's fleet, vi. 132

Shirley, James, his *Triumph of Peace*, *Gamster and Witty Fair One*, vii. 331

Shrewsbury, the Parliamentary party gains the upper hand in, x. 216

Shrewsbury, Countess of, is fined in the Star Chamber, ii. 119

Shropshire, low condition of religion in, v. 355; payment of the forced loan in, vi. 153

Shute, Robert, is proposed by Villiers to take part in the execution of Roper's office, iii. 34; obtains the post, 35; is a candidate for the Recordership of London, 217; is elected recorder, and dies, iv. 23

Sibbes, Richard, is one of the seoffees for impropriations, vii. 259; character and work of, 260; is reprimanded for inviting subscriptions for the exiles from the Palatinate, 261; writes lines on the birth of a Prince, and dissuades Goodwin from separating from the Church, 262

Sibthorpe, Robert, attacks Parliament in a sermon, vi. 206, sermon of, licensed by Bishop Montaigne, 207; protest of Phellis against the sermon of, 237; receives a special pardon, vii. 23

Silesia, is occupied by the Elector of Saxony, iii. 387; warlike operations of the Margrave of Jägerndorf in, iv. 203; defeat of the Danes by Wallenstein in, vi. 186

Simmern, Duke of, 1610 (Ludwig Philipp), is appointed Administrator of the Palatinate, vii. 343; proposes that Charles shall send his nephew to the Palatinate, 349; admits French garrisons into the fortresses of the Palatinate, 374

Sion College, bequest of money for the purchase of books by, vii. 334

Sion's Plea against Prelacy, vii. 144

Sitva Torok, Peace of, iii. 262

Skinner, John, is sent to trade in the Spice Islands, iii. 166

Skinner, Robert (*Bishop of Oxford*, 1641), becomes Bishop of Oxford, x. 41

Skippon, Philip, is appointed to command the London trained bands, x. 148; commands a guard to defend the Houses, 154; blockades the Tower, 162; is sent for by Charles, but forbidden by the Houses to obey the order, 196

Sligo, proposed plantation of, viii. 56; title found for the King in, 61

Slingsby, Henry, charts a vessel for Strafford's escape, ix. 344

Sluys, captured by the Dutch, 214; proposal of Buckingham that it shall be occupied by English troops, vi. 35

Smart, Peter, attacks the Durham Cereonialists, vii. 45; legal proceedings against, 46; sentence on, 129

Smectymnus, pseudonym of, ix. 390

SMI

- Smith, Captain John, early adventures of, ii. 50; accompanies the Virginian colony, 54; adventures of, in Virginia, 55; is president of the colony, 56; returns to England, 60; presents Pocahontas to the Queen, iii. 157
- Smith, John, a Separatist minister, character of, iv. 146
- Smith, Miles (*Bishop of Gloucester*), opposes Laud, iii. 244
- Smith, Sir Thomas, is Treasurer of the Virginia Company, ii. 57, iii. 161
- Smith, William (*Bishop of Chalcodon*), is obliged to leave England through the hostility of the Jesuits, viii. 131
- Smithwick complains against Bacon, iv. 81
- Soames, Alderman, imprisonment of, ix. 130; liberation of, 135; is a favourite candidate for the Mayoralty, 211
- Soap company, the, disputes about the monopoly granted to, vii. 71; change in the constitution of, viii. 284
- Soissons, Count of, urges the Duke of Savoy to give him a force with which to invade France, vi. 168; makes exorbitant demands of Montague, 176; refuses to help Charles till St. Martin's is taken, 185; makes his peace with Richelieu, 343
- Somers, Sir George, made Admiral of the Virginia Company, ii. 59
- Somerset, resistance to the benevolence in, ii. 266; payment of the forced loan in, vi. 153; wakes in, vii. 319; desertion and misconduct of the soldiers from, ix. 160; Hertford in command of a force raised in, x. 226; Hertford driven out of, 217
- Somerset, Countess of, marriage of, ii. 210; is implicated in the charge of murdering Overbury, 333; is placed in confinement, 337; gives birth to a daughter, 348; pleads guilty, 353; is pardoned, 361
- Somerset, Earl of, 1613 (Robert Carr), marriage of, ii. 210; wealth of, 212; becomes James's sole confidant, 218; supports the Prince's marriage with a Savoyard princess, 225; urges Sarmiento to break off the French alliance, 226; votes against conferring with the Commons on the impositions, 242; becomes Lord Chamberlain, 260; his influence with James, 317; his rudeness to James, 319; is allowed to carry on the negotiation with Sarmiento on the Spanish marriage, 321; intrigues to substitute Villiers for, as James's favourite, 322; James refuses some of the requests of, 327; threatens Villiers, 328; prepares a pardon, 329; Ellesmere refuses to seal the pardon of, 328; is implicated in the charge of murdering Overbury, 333; his last interview with James, 334; urges the King to alter the course of the investigation into the murder, 336; is placed in confinement, 337; Bacon's opinion on the evidence against, 348; threatens to bring a charge

SOV

- against the King, 351; declares that he will not go to his trial, 352; is brought to the bar, 353; trial of, 354; is pardoned after a long imprisonment, 363; his connection with Dudley's paper of advice, vii. 139; is prosecuted in the Star Chamber, 140
- Somerset House, is occupied by Henrietta Maria, v. 334; the Queen's French attendants sent away from, vi. 137; the Catholic converts receive the communion in the chapel of, viii. 242
- Sotomayor, Antonio de, takes part in a religious conference with Charles and Buckingham, v. 35
- Soubise, Duke of, captures the King's ships at Blavet v. 304; inflicts a check on the Dutch ships in the French service, 393; is defeated off Rochelle, vi. 2; brings the 'St. John' into Falmouth, 28; is summoned to give information to Charles about the state of France, 141; accompanies Becher to Rochelle, vi. 172; tries to explain the coolness with which the Rochellese receive Buckingham's overtures, 174; pleads with Buckingham to continue the siege of St. Martin's, 183; pleads with Buckingham against negotiations with France, 347; disbelieves a rumour that Rochelle has been relieved, 349
- Southampton, treaty with the Dutch signed at, vi. 6; men gathered for the relief of Rochelle at, 168
- Southampton, Earl of, 1581-1624 (Henry Wriothesley), is set at liberty, i. 100; supports Neville's candidature for the Secretaryship, ii. 148; supports Essex against his wife, 169; wishes to be employed against the Barbary pirates, iii. 68; quarrels with Buckingham, iv. 54; moves for an answer to Bacon's request for delay, 72; wishes Bacon to be banished, 102; wishes Velverton to be heard before he is condemned, 115; meetings held at the house of, 126; imprisonment of, 133; liberation of, 137; is absent from the Privy Council when the oath is taken to the Spanish marriage treaty, v. 69; death of, 312
- Southampton, Earl of, 1624 (Thomas Wriothesley), sentence against him in the Forest Court, viii. 86; votes against interference with the Commons, ix. 109
- Southesk, Earl of, 1633 (David Carnegie), imprisonment of, ix. 94
- Southwark, assemblage of rioters in, ix. 133; execution of a rioter in, 141
- Southwick, visit of Charles to, vi. 345
- Sovereign power, discussion in the Commons on the clause in which the Lords ascribe it to the King, vi. 280
- Sovereignty of the Seas, The*, written by Sir John Borough, vii. 338
- Sovereignty of the seas, the, Sir J. Coke exhorts Charles to recover, vii. 357; meaning of Charles's claim to, 358; Coventry's explanation of the King's

SPA

claim to, viii. 79; Falkland in favour of Charles's claim to, 258
 Spain, extent of the monarchy of, i. 12; prospect of peace with, 101, change in the policy of, 204, negotiations opened at London for a peace with, 209, terms of the treaty of peace with, 209, proclamation of the peace with, 214; English pensioners of, *ib.*; defeat by the Dutch of the fleet of, 341; ill-treatment of Englishmen by the Inquisition in, 342; fresh proposal for a marriage between Prince Henry and the Infanta Anne made in, 343; English trade with, 347, delay of justice in the courts of, 348; complaints of the English merchants of their treatment in, 349, agrees to a cessation of arms in the Netherlands, ii. 21; renews its overtures for the marriage of Prince Henry, 23; negotiates for peace with the Netherlands, 26; attempts to gain the alliance of France, 27; agrees to the Truce of Antwerp, 29; case of the English merchants in, 134; proposal for a marriage between the Prince of Wales and the Infanta Anne made by the ambassador of, 138; negotiation about the marriage carried on by Digby in, *ib.*; Digby endeavours to obtain justice for the English merchants in, 149, proposal to appoint English consuls in, 150; Zúñiga's mission to James from, 151; attempts to promise the election of the Archduke Albert as Emperor, 163; failure of Digby's efforts in favour of the English merchants in, *ib.*, fears in England of an invasion from, 164; pensioners of, 224; marriage treaty with England again proposed to, 252; consultations on the marriage treaty in, 255; Digby conducts an informal negotiation on the marriage treaty in, 310; negotiations formally opened by Digby in, *ib.*, 103; cool reception of the proposal for an English expedition against Algiers in, 106; a small sum of money sent to Matthias from, 272; Lerma driven from power in, 278; economical condition of, 279; the English mediation in Bohemia accepted by, 284; preparation of a fleet in, 286; is urged by Maximilian to support the Emperor, 321; fear of a general war felt in, 328; wish for peace in, *ib.*, 184; carries on a negotiation with the Prince of Orange, 187, renewal of its war with the Netherlands, 188; opposes the transference of Frederick's Electorate to Maximilian, 220; desire for peace in, 323; refuses to accept an extension of territory, 328; scheme for the abdication of Frederick adopted by, 329; sends a fleet to the Channel, 376; the Lords condemn the treaties with, v. 189; popularity of a war against, 191; petition of the Commons against, 192; despatch from James announcing the end of the negotiations with, 211; threatening position of the monarchy of, 215; unavowed

SPE

hostilities with, 245; open breach of Charles with, vi. 6; negotiation of Du Fargis for a treaty between France and, 87; acceptance by France of the Treaty of Barcelona with, 90, overtures made by Buckingham to, 160, refuses to make peace with the Dutch without the opening of the Scheldt and the renunciation by the States-General of their independence, 161; is exhausted by the siege of Breda, 162, agreement made by France for a common action against England with, 164; hope entertained by Charles of peace with, 331, anxiety of Buckingham for peace with, 333; Charles hopes for a new alliance with, 373; takes part in the quarrel for the succession of Mantua and Montferat, vii. 99; mission of Rubens to England to pave the way to a peace with, 102; resolution of Charles to treat with, 104; embassy of Cottington to, 105; treaty signed at Madrid with, 175, multiplicity of the interests of, 187, the people in the Spanish Netherlands are discontented with the government of, 209; refuses to come to terms with the independent Netherlands, unless Pernambuco is surrendered, 344; articles of a treaty with, prepared in England, 367; money carried by an English ship to Dunkirk from, viii. 100; fresh overtures of Charles to, 217; failure of Charles to form an alliance with, 377; fresh attempt of Charles to form an alliance with, ix. 57; English vessels chartered to bring troops from, *ib.*; negotiations with, on the treatment of Oquendo's fleet, 61; ambassadors arrive in England to negotiate an alliance with, 131; Strafford tries to obtain a loan from, 132; Strafford again presses for a loan from, 175; fresh attempt of Strafford to obtain a loan from, 184; Portugal declares its independence of, 348
 Spalatro, Archbishop of. *See* Dominis, Marco Antonio de
 Spanish Company, formation and overthrow of, i. 348
 Spanish troops, proposal to employ in England, viii. 386; are conveyed to Flanders in English vessels, ix. 58
 Sparks, Thomas, takes part in the Hampton Court Conference, i. 153
 Speaker of the House of Commons, the double allegiance of, vii. 71
 Spencer, Lord, 1603-1627 (Robert Spencer), observes that no lords are to be called great lords, iv. 51; asks if Bacon is to be brought to the bar, 93; wishes to deprive Bacon of his peerage, 102; quarrels with Arundel, 114
 Spencer, Mary, is tried for witchcraft, vii. 324
 Spens, Sir James, is sent to the King of Sweden, v. 174, 247; proposes to Gustavus a scheme for a Protestant league, 294; returns to England to ask help from James, 297; is sent back to Sweden to ask Gustavus to co-operate with Chris-

SPE

- tian, 299; comes to England to urge Charles to take part in the German war, vii. 99
 Spenser, Edmund, character of his *Fairy Queen*, i. 42; idea of his *Hymn to Beauty*, vii. 336
 Spenser, Sir Richard, represents England at the conferences of the Hague, 23
 Spinola, Ambrogio, success of, in the Netherlands, ii. 21, invades Cleves and Juliers, 263; makes difficulties about the execution of the treaty of Xanten, 308; collects troops in the Netherlands, iii. 325; marches towards the Rhine, 367; enters Mentz, 368, invades the Palatinate, 369; is ordered to support Maximilian, iv. 208; is irritated at Mansfeld's conduct, 269; refuses to support a suspension of arms in the Palatinate, 325, besieges Bergen-op-Zoom, 341; raises the siege of Bergen-op-Zoom, 376, lays siege to Breda, 275
 Spire, Vere's men quartered on the bishopric of, iv. 214
 Sports, the King's Declaration of. *See Declaration of Sports*
 Spottiswoode, John (*Archbishop of Glasgow*, 1605; *Archbishop of St. Andrews*, 1615-1639), appointed Archbishop of Glasgow, i. 305; becomes a Lord of Session, ii. 101; begs James not to issue the five articles by his own authority, iii. 222; character of, 232, urges the ministers to submit to the King, 233; preaches at the opening of the Assembly of Perth, 234, threatens the ministers who oppose the five articles, 236; takes part in the revision of a Prayer-book for Scotland, vii. 282; wears a rochet and cope in Holyrood chapel, 285; shows to Charles the supplication of the Lords of the Scottish Opposition, 294, becomes Chancellor of Scotland, 298, dissatisfaction of the nobility with the promotion of, viii. 304; asks the magistrates to expel the rioters from St. Giles', 315; advises the suspension of both forms of prayer, 317; recommends the withdrawal of the Prayer-book, 334
 Spurston, William, is the author of a pamphlet issued under the name of *Smectymnus*, ix. 390
 Stade, siege and surrender of, vi. 290
 Stadthoof, Jilly defeats Christ an of Brunswick at, v. 78
 Stafford, Anthony, his *Female Glory*, viii. 127
 Staffordshire, payment of the forced loan in, vi. 153; holds back from sending reinforcements to the Northern army, ix. 204
 Stage, the, immorality of, vii. 327
 Stamford, proceedings of Vicars at, vii. 253; Brent's report of the metropolitical visitation of, viii. 120
 Stamford, Earl of, 1628 (Henry Grey), has an altercation with Savile, ix. 339; is Lord-Lieutenant of Leicestershire, x.

STA

- 205; the arms of the county removed to the house of, 206
 Standard, the Royal, set up at Nottingham, x. 219
 Standen, Sir Anthony, sent by James to Italy, i. 141, is imprisoned on his return, 142
 Standish, Miles, joins the emigrants for New England, iv. 159, nurses the sick, 167
 Stapleton, Sir Philip, is one of the Parliamentary Commissioners appointed to attend the King in Scotland, x. 4
 Star Chamber, the Court of, jurisdiction of, enlarged by Henry VII., i. 5; sentence on Pound in, 223, sentence on the Earl of Northumberland in, 284, imposes a fine on the Countess of Shrewsbury, ii. 119, fines the wanderers of Northampton, 160, punishes St. John, 270, fines Talbot, 295; fines and imprisons Holles, Wentworth, and Lumsden, 342; proceedings against the Lakes in, iii. 191; sentences on the Lakes in, 193, sentence on the Earl and Countess of Suffolk in, 210, imposes fines for the exportation of gold, 323; protects monopolies, iv. 1; sentence upon Yelverton in, 23; fines Sir John Bennett, 350; Eliot refuses to conduct a case against Buckingham in, vi. 123; gives a sentence in favour of Buckingham, 124; Bristol is summoned before, 232, removal of the documents relating to Buckingham's prosecution from the file of, 320; prosecution of Chambers in, vii. 5; case of Savage in, 31; proceedings taken in, against the merchants who had refused to pay tonnage and poundage, 58; constitution of, 84, sentence on Chambers in, 85; information against the imprisoned members of Parliament exhibited in, 91; the defendants demur to the jurisdiction of *id.*; reference to the judges on its jurisdiction over members of Parliament, 92; abandonment of the prosecution of the members of Parliament in, 108; the Court of Exchequer refuses to limit the jurisdiction of, 114; the publication of unlicensed books prohibited by, 130; prosecution of Sir R. Cotton and others concerned in circulating Dudley's paper of advice in, 140; proceedings against Leighton in, 147; sentences Foulis, 237; Palmer fined in, 241; prosecution of Sherfield in, 256; Sibbes and Gouge reprimanded in, 261; punishes Ludowick Bowyer, 302; prosecution of Pryne in, 330; Pryne sentenced in, 332; fines the City of London for the breach of its Londonderry charter, viii. 59; Sir Anthony Roper fined for depopulation in, 77; proceedings against Foljambe, Anderson, and Dunne in, 78; case of Pell and Bagg in, 89; trial of Pryne, Bastwick, and Burton in, 228; decree against the liberty of the press in, 234; sentence on Lilburne in, 249; prosecution of

STA

Williams in, 251, proceedings against the Vintners' Company in, 286, authorises the demolition of new buildings, 289; Williams fined in, 390; escape of O-baldiston from prosecution in, *ib.*; Wentworth prosecutes Crosby and Mountnorris in, ix. 70, abolition of, 404

Starchmakers, company of, viii. 285

States-General, the, of France, meeting of, ii. 315

States-General, the, of the United Netherlands. *See* Netherlands, the States-General of the United Provinces of the Steenie, nickname of, given by James to Buckingham, v. 2

Steeple Aston, painted windows in the church at, vii. 255

Steward, Sir Francis, looks on while an English ship is being captured, v. 427, is sent out against pirates, vi. 11

Stewart, Alexander, is employed to seize Argyle and Hamilton, x. 24

Stewart, Sir Archibald of Blackhall, is imprisoned, ix. 397

Stewart, John, of Ladywell, is imprisoned for maintaining that Argyle proposed to dethrone the King, v. 397; execution of, 411

Stewart, Walter, is captured with a paper from the opponents of Argyle, ix. 397

Stewart, William, is asked to assist in seizing Hamilton, x. 24; informs Hurry, 25

Stirling, removal of the Council to, viii. 327; reading of a protestation at, 328, the Earl of Mar holds the castle of, ix. 2

Stirling, proclamation in defence of the new Prayer-book read at, viii. 327; castle of, held for the Covenanters, ix. 2

Stirling, Sir George, of Keir, is imprisoned, ix. 207

Stoke Newington, resistance to ship-money at, viii. 102

Stourton, Lord, 1588-1632 (Edward Stourton), is brother-in-law of Tresham, i. 246; is fined in the Star Chamber, 283

Strafford, Earl of, 1640-1641 (Thomas Wentworth), appointed Lieutenant-General of the army for the second Bishops' War, ix. 84; supports Leicester's candidature for the Secretaryship, 85; his intimacy with Lady Carlisle, 86; asks that Coke shall retain the secretaryship, 87; is asked by the Queen to protect the Catholics, 88; is supposed by Rossetti to be a Puritan, *ib.*; sets out for Ireland, 94; obtains subsidies from the Irish Parliament, 95; returns to England, 96; advises the King to call on the Lords to declare that supply must precede grievances, 108; disservice rendered to the King by, 109; announces that a refusal of supply will be followed by a dissolution, 112, recommends the King to abandon ship-money and to be contented with eight subsidies, 113; reluctantly votes for the dissolution of the

STR

Short Parliament, 117, holds that as Parliament has failed in its duty, the King is justified in helping himself, 119, argues for an aggressive war on Scotland, 120; reminds Charles that he has an army in Ireland, 122, talks of making the nobility smart, 123; his words about the Irish army immediately disclosed, *ib.*; probable intention of, 125; does not realise the feeling which the employment of an Irish army would rouse in England, 126, becomes the embodiment of tyranny in the popular mind, 127, recommends the King to hang some of the aldermen, 130; appointed a commissioner to negotiate an alliance with Spain, 131, asks the Spanish ambassadors for a loan, 132, is blamed for the Lambeth riots, 135, illness of, 137, his conversation with Bristol on the political situation, *ib.*; his secrets divulged by the courtiers, 138; is in danger of his life, 139, catches a chill in receiving the King's visit, 140; recovers his health, 162; dissuades Charles from paying the soldiers with base coin, but threatens those who oppose the debasement of the coinage, 171, pleads with the Spanish ambassadors for a loan, 175; wishes the King to reject a petition from Yorkshire, 177; receives a patent giving him command over the Irish army, 183, again presses the Spanish ambassadors for a loan, 184; expects England to be stirred to resistance by a Scottish invasion, 187; is appointed to command the English army, 188; continued hopefulness of, 190; is taken ill, but arrives at York, and urges the Yorkshiremen to support the King, even if he cannot pay them, 191; continued illness of, 192; complains of the state of the army after the rout of Newburn, 195; persuades the Yorkshiremen to offer their trained bands without petitioning for a Parliament, 204; is made a Knight of the Garter, 177; expects that England will rally round the throne, 205; urges on the Great Council the necessity of supplying the King, 208; recommends that the army shall remain on the defensive, 209; wishes the Scots to be allowed to do their worst, 212, is named a chief incendiary by the Scots, 213; proposes to drive the Scots out of Ulster, *ib.*; does not venture to recommend a breach with the Scots, 215; general detestation of, 220, is sent for by Charles, 221; the Commons inquire into his conduct in Ireland, 222; resolution of the Commons to impeach, 226, is supposed to have taken part in a Catholic plot, 229; advises the King to accuse the Parliamentary leaders, 231; is reported to have boasted that the City would soon be brought into subjection, 233; charge prepared against, 234; is impeached and committed to custody, 235; acknowledged

STR

ment of Charles that some faults may have been committed by, 238; preliminary charge against, 240, is committed to the Tower, and writes to his wife, 241; detailed charges against, 269; Mary de Medicis asserts that the King intends to liberate, 288, remains in command of the Irish army, 289; is allowed time to prepare his answer, 292; his answer read, 296, arrangement of Westminster Hall for the trial of, 302; Pym opens the case against, 303; professes his respect for the House of Commons, 305, character of the Irish government of, *ib.*; asserts that he had not committed treason, 306; growth of a feeling favourable to, 307; effect of the charge of intending to bring over the Irish army against, 318; evidence of Vane's notes against, 319; replies to the evidence, 320, hypothetical explanation of the words about the Irish army used by, 321; his enunciation of the principle on which the King can use his prerogative above the law, *ib.*; impression produced by his argument, 322; danger apprehended by the Commons from the acquittal of, 323; charge arising from the wording of the commission granted to, 325, illness of, 326; anger of the Commons at the permission to adduce fresh evidence accorded by the Lords to, 327; proposal to bring in a Bill of Attainder against, 329; proceedings in the Commons on the Bill of Attainder against, 330; makes his general defence before the Lords, 331; finds advocates in the House of Commons, 336; hearing of the legal argument in behalf of, 337; is declared a traitor by the Commons, *ib.*; is assured by Charles that he shall not suffer in life, honour, or fortune, 340, Essex refuses to vote against the death of, 341; the Londoners' petition for the execution of, and the Lords read a second time the Bill for the Attainder of, *ib.*; preparations for the escape of, 344; considers the King's intervention impolitic, 347; Charles attempts to save by force, 348; a mob calls for the execution of, 349; writes to the King offering his life, 361; offers a bribe to Balfour to connive at his escape, 366; is informed that he is to die, and asks to see Laud, 368; last speech of, 369; execution of, 370

Straffordians, the, placard set up with the names of, ix, 350

Straiton, Sir Alexander, acts as the King's Commissioner to the General Assembly, i, 304; communicates with the ministers at Aberdeen, 306; gives a false account of his proceedings there, 307

Stralsund, the siege of, vii, 97

Strange, Lord (James Stanley), attacks Manchester, x, 214; begs the King to take refuge in Lancashire, 218

Strangways, Sir John, asks by what wit-

SUC

nesses the evidence against Strafford is substantiated, ix, 270, argues that a parity in the Church will lead to a parity in the commonwealth, 285, is surrounded by a mob in Palace Yard, 86; charges Vane with sending for armed citizens, *ib.*

Strathbogie, return of Huntly to, ix, 4; is plundered by Monro, 165

Strode, William, wishes money to be raised some other way than by subsidy, v, 414; hopes that Eliot's resolution may be read, vii, 69; tells Finch that it is his duty to obey the House, 70; being imprisoned, applies for a *Habeas corpus*, 90; asks the King's Bench whether a priest is to be bailed, and not a member of Parliament, 93; is removed to the Tower, 94; is transferred to the Marshalsea, 115; remains in prison till the meeting of the Short Parliament, 228; release of, ix, 87; sits in the Long Parliament, 223; brings in a Bill for Annual Parliaments, 253, brings to a close a debate on providing money for the Scots, 301; supports Pym's view that the Commons ought to go on with Strafford's impeachment, 337, says that the King is badly counselled, 353; is a member of the committee for investigating the Army Plot, 358; wishes to assert the claim of Parliament to a negative voice on appointments, x, 41; wishes to postpone the discussion on sending an army to Ireland, 69, moves that the kingdom be put in a posture of defence, 86; the King resolves to impeach, 129; impeachment of, 130; is dragged out of the House to compel him to take refuge in the City, 138

Strode, William, is the author of *The Floating Island*, viii, 150

Struthers, William, complains of innovations in the Scottish Church, vii, 285

Stuart, Elizabeth, marries Lord Maltravers, vi, 72

Stuart, Lady Arabella, her claim to the English throne, i, 79; alleged plot for placing on the throne, x18, James's conduct towards, ii, x13; is arrested, x14; promises to marry William Seymour, x15; is privately married, x17. *See* Seymour, Lady Arabella

Stukeley, Sir Lewis, arrests Raleigh, iii, 137; acts as a spy on Raleigh, x40; fate of, x53; his guardianship of the child of Pocahontas, 157

Suckling, Sir John, character of, ix, 311; gives advice to Charles, *ib.*; consults with Jermyn on a scheme for bringing the Northern army to London, 312; communicates with Chudleigh, 314; the officers refuse to confer with, 316; Charles rejects the plan of, 317; levies soldiers, 348; brings armed men to a tavern in Bread Street, 349; escapes to France, 360; is declared a traitor by the Commons, x, 2

SUF

- Suffolk, mutiny of the soldiers in, ix. 160; petition of ministers of, 266
- Suffolk, Countess of, accepts a Spanish pension, i. 215; is ordered by James to go into the country, iii. 188; is accused of participation in her husband's corruption, 189; Star Chamber proceedings against, 208; sentence on, 210
- Suffolk, 1st Earl of, 1603-1626 (Thomas Howard) is Lord Chamberlain and refuses a Spanish pension, i. 215; suggests that the cellar under the House of Lords may have been used by the Gunpowder Plotters, 249; becomes a Commissioner of the Treasury, ii. 145; supports Lady Essex, 169; becomes Lord Treasurer, 259; is chosen Chancellor of the University of Cambridge, 320; gives his opinion on the preparation for a Parliament, 366; is accused of conniving at his wife's corruption, iii. 188; is charged with bribery and forced to resign the Treasurership, 189; Star Chamber proceedings against, 208; sentence on, 210; asks that Bacon may be brought to the bar, iv. 94; attempts to mediate between Arundel and Spencer, 114; wishes Yelverton to be heard before he is condemned, 115; death of, vi. 115
- Suffolk, 2nd Earl of, 1626-1640 (Theophilus Howard), charges Selden with razing a record, vi. 256; becomes Lord Warden of the Cinque Ports, 342; is directed to attend to the wants of Oquendo's men, ix. 66
- Suffolk line, the claim to the throne of, i. 78
- Sugar, John, executed as a priest, i. 221
- Sunday, the Lords propose a conference on, i. 173; views of the Puritans on the observance of, iii. 247; George Herbert's ideas on, 250; issue of *The Declaration of Sports* to regulate the observance of, 251; Shepherd's speech on the observance of, iv. 33; re-issue of *The Declaration of Sports*, on the observance of, vii. 321; sitting of the House of Commons on, ix. 415
- Supplication, the General, drawn up, viii. 323; presented to the Council, 326
- Supreme Head of the Church, Cosin objects to the use of the King's title of, vii. 47
- Surrey, resistance to the levy of soldiers in, ix. 160
- Susa, is surrendered by the Duke of Savoy to the French, vii. 99; a treaty between England and France signed at, 100
- Sutherland, Earl of, 1615 (John Gordon), is the first to sign the Covenant, vii. 333
- Sutton, Thomas, intends to found a hospital, ii. 213; endows the Charter House, 214
- Swaffham, Brent's report of the metropolitanical visitation of, viii. 109
- Swarton, Sara, false evidence of, iii. 101; James detects the perjury of, 192; Star

TIC

- Chamber sentence on, 193; confesses her guilt, and is set at liberty, 194
- Swords, meeting of the Lords of the Pale at, x. 114
- Sydenham, Sir John, is accused by Peacham, ii. 280
- Sydsersf, Thomas, (*Bishop of Brechin*, 1634; *of Galloway*, 1635), approves of the introduction of the English Prayer-book into Scotland, vii. 290; Lorne's quarrel with, viii. 316; is attacked by a mob in Edinburgh, 322; suggests that the petitioners shall leave a small deputation in Edinburgh, 323
- Synod, a national, is demanded in the Grand Remonstrance, x. 62; ministers' petition for the calling of, 101; its proposed composition contrasted with that of Convocation, 16
- TABLES, The, establishment of, viii. 328; are not dissolved immediately after the pacification of Berwick, ix. 46
- Talbot, John, attempt to induce him to join the Gunpowder Plotters, i. 260
- Talbot, William, is a leading member of the Catholic party in the Irish House of Commons, ii. 290; is questioned on his agreement with the doctrines of Suarez, 294; is sentenced in the Star Chamber, 295
- Taming of the Shrew*, *The*, apparent familiarity of Charles with, vi. 56
- Tara, the Hill of, gathering of rebels on, x. 53
- Taxis, Juan de. *See* Villa Mediana, Count of
- Taylor, Jeremy, defends the special connection of the bishops with the King, ix. 381
- Taylor, John, is sent to Vienna, viii. 83; describes the miserable condition of Germany, 100; announces an offer of the Emperor about the Palatinate, 101; his negotiation disavowed, 377; is recalled and imprisoned, 378
- Temple, the Middle, health of the Electress Palatine drunk at, iv. 399
- Ten Propositions, the, brought forward by Pym, ix. 401
- Teynham, Lord, 1616-1618 (John Roper) gives up his office to Villiers, iii. 35
- Ticel, the, seizure of a French ship in, vi. 187
- Th-ologians, junta of. *See* Marriage Treaty
- Thirty Years' War, the, character of, iii. 320
- Thomond, Earl of, 1580-1624 (Donogh O'Brien), sides with the English, i. 379
- Thornton, Sir George, takes part in the government of Munster, i. 367
- Thorough, the policy of, viii. 67; remissness of Charles in carrying out, 106
- Throckmorton, Sir Clement, begs Buckingham to wear a coat of mail, vi. 348
- Tichborne, Sir Henry, is besieged in

TIL

- Drogheda, x. 96, is relieved by Ormond, 174
- Tillieres, Count Leveneur de, remonstrates, as French ambassador, against James's permission to the Rochelaise privateers to bring prizes into English ports, iv. 292, hears of Grey's mission to England, v. 175; reports that Charles will not insert an engagement on behalf of the Catholics in the marriage treaty, 251; is recalled, 253, comes to England as the Queen's chamberlain, vi. 5
- Tilly, Count of (John Tserclaes), commands the army of the Catholic League, iii. 318, follows Mansfeld into the Lower Palatinate, iv. 294, proceedings of, in the Lower Palatinate, 306; military position of, 307, is checked at Wiesloch, but defeats the Margrave of Baden at Wimpfen, 310; objects to sign an armistice with Mansfeld, 317; defeats Christian of Brunswick at Höchst, 318; refuses to abandon the siege of Heidelberg at Chichester's request, 320, prevents Mansfeld from invading Bavaria, 321; receives orders to besiege Heidelberg, 340, takes the town of Heidelberg, 360; takes the castle of Heidelberg, and besieges Mannheim, 361; takes Mannheim and lays siege to Frankenthal, 386; founds a college of Jesuits at Heidelberg, 401; receives a check from Christian of Brunswick, v. 77, defeats him at Stadtloo, 78, comes up with Christian IV., vi. 139; defeats him at Lutter, 140, joins Wallenstein against Christian IV. 186; captures Stade, 290; storms Magdeburg, vii. 179; is defeated at Breitenfeld, 188, is defeated and slain at the passage of the Lech, 197
- Tipperary, attack by St. Leger on plunderers in, x. 116
- Tirlemont, is stormed by the French, vii. 387
- 'Tis a pity she's a whore*, quotation from, vii. 337
- Titchfield, visit of Charles and Henrietta Maria to, vi. 4; disorderly scenes at, 5
- Tithes, controversy on Selden's History of, iii. 253; are paid in kind in Scotland, vii. 276; are commuted in Scotland for a money payment, 279
- Tobacco, the cultivation of, introduced into Virginia, iii. 158; is seized by the Dunkirkers as munition of war, vii. 381; working in Ireland of the monopoly of, ix. 222
- Toiras, Marshal, fires upon the people of Rochelle, vi. 2; attempts to hinder Buckingham from landing at Rhé, 172; exchanges compliments with Buckingham, 176; is relieved, 182; holds out against Buckingham's attempt to storm St. Martin's, 196
- Toledo, Pedro de, mission to France of, ii. 27; breaks the Treaty of Asti, iii. 49
- Toleration, difficulties in the way of, in the 16th century, i. 11; Elizabeth's par-

TON

- tial acceptance of, 123, growing feeling in favour of, 40, difficulties in the way of its concession to the Catholics, 144; Cranborne's objection to, 226, abandonment of James's attempt to carry out, 230, practical enjoyment of, in Ireland under Elizabeth, 388, opinion of the Irish Council on, 397, Cluchester's opinion on, 398; view of Pym on, iv. 244; growing possibility of establishing, 289; is conceded to the French Protestants after the surrender of Rochelle, vi. 369; is rejected in Massachusetts, vii. 158, difficulties in the way of, 159, progress of in Germany, France, and the Netherlands, viii. 165; comparison between its prospects in England and France, *ib.*, its chances in New England, 166, is accepted in Rhode Island, 170; impossibility of completely securing in Massachusetts, 176; is secured in Maryland, 181, the members of the Long Parliament unfamiliar with the idea of, 395, writings of Henry Burton and Lord Drooke in defence of, x. 35; demanded by the Irish Catholics, 46; the Commons issue a declaration against, 97; both Houses declare that only the religion established by the laws of England shall receive it, either in England or in Ireland, 100
- Tom Tell-truth*, large circulation of, iv. 296
- Tomkins, Thomas, moves for a conference on Strafford's treason, ix. 351
- Tonnage and Poundage, grant of, proposed in the first Parliament of Charles, v. 364; a Bill passes the Commons for the grant of, for one year, but is dropped in the Lords, 365, the Commons order a Bill to be brought in for the grant of, vi. 77, declared by the Commons to be illegal without consent of Parliament, 115; debate in committee on, 322; proposal to pass a Bill for the temporary grant of, *ib.*; Remonstrance of the Commons on, 323; Charles's statement of his case in claiming, 324, argument in favour of the King's claim to, 325, argument against the King's claim to, 328; readiness of the merchants to resist payment of, vii. 1, a replevin sued out by merchants whose goods had been seized for refusing to pay, 3, decision of the Court of Exchequer that a replevin is not the proper way of regaining goods seized for non-payment of, 6, fresh tumults caused by the collection of, 28; the King's resolution to try to come to an understanding with Parliament on, 28; Phelps moves for a committee on, 32; the Commons postpone the consideration of, 34; resumption of the debates on, 57; the merchants resist the exaction of, after the dissolution of 1629, 82; continued resistance to the payment of, 108; Royal assent given to the Bill declaring it illegal to levy, without consent of Parliament, ix. 400

TOP

- Topiawari, an Indian chief visited by Raleigh, ii. 374
- Torture, inflicted on Fawkes, i. 266, on Owen, 272; on Peacham, ii. 275, state of opinion on the use of, *ib.*; inflicted on Mr. Byng's servant, iv. 295; threatened in Felton's case, vi. 359; the judges declare the illegality of, *ib.*, the last English case of, *ib.* 121
- Tortus, Matthew, book written by Bellarmine in the name of, ii. 31
- Tory Island, massacre on, i. 430
- Totness, Earl of, 1626-1629 (George Carew), offers to bear the brunt of the displeasure of the Commons, vi. 74; is assured by Charles that he shall not be sent to the Tower, 75
- Tower, the, appointment of Cottington as Constable of, ix. 191; Charles reviews and dismisses the garrison of, 232, alarm of the Commons at the military preparations at, 233, committal of Strafford to, 241; project for the seizure of, 343; attempt to introduce Billingsley into, 348; men from the Tower Hamlets admitted as guards of, 355; Newport appointed Constable of, 358; Newport ordered by Parliament to reside in, *ib.* 5; appointment of Lunsford to the Lieutenantancy of, 108; appointment of Byron to the Lieutenantancy of, 112; measures taken to secure, 134, the Commons wish Conyers to be Lieutenant of, 154; Byron refuses to leave, 155; is besieged by Skippon, 162; Conyers succeeds Byron as Lieutenant of, 105
- Townley, Zouch, writes verses in praise of Felton, vi. 354
- Townson, Robert (*Dean of Westminster, 1617-1620*), visits Raleigh the night before his execution, iii. 148
- Trading companies, the, progress of, i. 187
- Traquair, Lord, 1638 (John Stuart), is the leading member of the Scottish Privy Council, viii. 316; is hustled by a mob at Edinburgh, 322; proposes the adoption of the English Prayer-book, and remonstrates against the organisation of the Commissioners, 325; begs the Commissioners to propitiate the King, 326; goes to London, *ib.*; informs Charles that there will be no peace in Scotland till the Prayer-book is withdrawn, 334; stows the King's gunpowder at Dalkeith, 342; fails to defend Dalkeith, ix. 2; is put under arrest for a short time, 7; is attacked by a mob at Edinburgh, 45; is appointed the King's Commissioner in Scotland, 46; his appointment disliked by the Covenanters, 49; gives assent to the Act of the Assembly of Edinburgh for the abolition of episcopacy, 50; adjourns the Parliament, 55; prorogues the Scottish Parliament, 74; reports to the Committee of Eight, 75; reports to the Privy Council, 76; is sent back to tell the Scots that they may send fresh

TUR

- Commissioners to England, 77; arrives in London, bringing the Covenanters' letter to the King of France, 92, refuses to preside over the Scottish Parliament, 136; repeats before the Great Council his narrative of the proceedings of the Scots, 208, declares that neither the King nor Lennox knows of a scheme for accusing Aigyle, 398
- Treason, doctrine of, discussed at Strafford's trial, ix. 306
- Tregoze, Lord. *See* Grandison, Viscount
- Tremolle, La, Duke of, abandons Protestantism, vi. 343
- Trendall, John, proposal of the Council to burn, ix. 82
- Tresham, Francis, consults Garnet, i. 99. *See* Gunpowder Plot
- Tresham, Sir Thomas, persecution of, i. 115
- Treves, the Elector of, admits the French into Ehrenbreitstein, vii. 350
- Trevor, Sir Sackville, blockades Hamburg, vi. 187, seizes a French ship in the Texel, *ib.*
- Trevor, Sir Thomas (*Baron of the Exchequer, 1625*), is on the Bench at the assizes at Durham when Smart brings an action against the prebendaries, vii. 129; delivers judgment in the case of ship-money, viii. 278
- 'Trial', the, case of, brought before the House of Commons, i. 349; difficulty of obtaining satisfaction for injuries to, ii. 135
- Triennial Bill, the, the Annual Parliaments Bill changed into, ix. 262; Charles declares that he will not assent to, 267; is passed by the Lords, 273; receives the Royal assent, 290
- Trinidad, Raleigh's visit to, ii. 373
- Triumph of Peace, The*, Shirley's masque of, vii. 331
- Tromp, Admiral, intercepts English vessels with Spanish troops off Portland, ix. 57; defeats Oquendo, but is prevented by Pennington from following up his victory, 60; appeals to Charles, 61; attacks the Spanish fleet, 67, again defeats Oquendo, 68
- Trot of Turriff, the, ix. 20
- Trumbull, William, is ordered to protest against the invasion of the Palatinate, iii. 351; converses with Spinola about the truce, iv. 209; is recalled from Brussels, vi. 6
- Terclae, Madame, conveys messages from the Archduke Albert to the Prince of Orange, iv. 187
- Tudor Monarchy, the, strength of, i. 6
- Tulchan bishops, the, i. 46
- Tunbridge, Lord (Ulrich Burke), remonstrates against Wentworth's proceedings in Galway, viii. 184. *See* Clanrickard, and St. Alban's, Earl of
- Tunis, piracy at, iii. 64
- Turatta, Madame, gives lessons in the manufacture of gold and silver thread, iv. 11

TUR

- Turin, slaughter of the garrison of, x. 175
 Turner, Dr., declares Buckingham to be the cause of all grievances, vi. 76; puts a set of queries to the House, 77; is taken ill, and abandons the attack on Buckingham, 79
 Turner, Mrs., consulted by Lady Essex, ii. 168, employs Weston to poison Overbury, 181, is accused by Helwys, 332; asserts her innocence, 334, trial and execution of, 342
 Turriff, Montrose rallies the friends of the Covenant at, ix. 2; the Trot of, 20
 Twysden, Sir Roger, summoned before the Commons to give account of his part in the Kentish petition, x. 181
 Tyburn, alleged pilgrimage of Henrietta Maria to, vi. 135
 Tyrconnell, Earl of, 1603 (Rory O'Donnell), acknowledged by Mountjoy, and accompanies him to England, i. 380, is unable to appear in his own district, 381; is reinstated by Chichester, 387, is reported to be intending to leave Ireland, 408; is said to have taken part in a conspiracy, 413; joins Tyrone in his flight, 416; attainer of, 422
 Tyrone, Earl of, 1587 (Hugh O'Neill), resumes the title of The O'Neill after the victory of the Blackwater, i. 362; submits to Mountjoy, 364; receives back the greater part of his lands, 379; is dissatisfied with his position, 381; his views on his position as landowner, 387; continued irritation of, 408; quarrels with O'Cahan, 409; is summoned before the Irish Council, 411; insults the Lord Deputy, 412; is summoned to England, 414; flies from Ireland, 415; attainer of, 422; contemplated pardon of, ii. 30
 Tytler, Peter, engages, as Vicar of Grant-ham, in disputes with his parishioners, vii. 16; moves the communion-table, 17

UDENHEIM. See Philippsburg

Ulm, the treaty of, iii. 364

- Ulster, condition of, after Mountjoy's conquest, i. 379; the first circuit in, 380; Chichester's first progress through, 386; Chichester's second progress through, 402; Chichester's views on the settlement of, after the flight of the Earls, 418; Chichester's notes on the condition of, 432; formation of a commission in London to consider the settlement of, *ib.*; rival schemes for the plantation of, 433; Bacon's advice about, 435; Chichester's views on the plantation of, 436; publication of the scheme of the Commissioners in, 437; Chichester's remarks on, 438; the Irish removed from their homes in, 439; discontent in, 440; progress in the colonisation of, 441; Presbyterianism in, vii. 54; condition of the settlement in, 59; relief of the return of the O'Neill and the O'Donnell among the natives of, 60; retrospect of the plantation of, x. 43;

UZE

- rebellion in, 53; proposal to send 1,000 Scots to put down the rebels in, 55; no general massacre in, 64, atrocities in, 65
 Undertakers, the, ii. 229; the Commons wish to inquire about, 236, the Commons desist from inquiring about, 238
 Union between the Churches of Rome and England, discussion of a plan for a, viii. 135
 Union, the German Protestant, formation of, ii. 92, alliance of James with, 140; alliance of the Dutch with, 162; renews its treaty with James, iii. 285; Doncaster's message to, 301; refuses to support Frederick in Bohemia, 316; sends Buwinckhausen to England, 330; attempts to raise a loan for, 340, urges James to send assistance to the German Protestants, 349; agrees to the Treaty of Ulm, 364, consults Conway and Weston on the danger from Spinola's army, 368; weakness of, iv. 184; dissolution of, 191
 Union with Scotland, a, proposed by James, i. 176; looked on with disfavour by the Commons, 177; commissioners named for considering the terms of, 180; report of the commissioners on, 324; debates in the House of Commons on, 329, James wishes to proceed with, 355; enforced abandonment of, 356
 Universities, the, oppose the millenary petition, i. 150; oath against Presbyterianism introduced into, 200; submission to Laud's claim to visit, as metropolitan, viii. 147
 Unlicensed books, proceedings in the High Commission against, vii. 130
 Urban VIII., Pope, 1623, falls ill after his election, v. 113; approves of his predecessor's dispensation for the Infanta's marriage, 148; asks for further concessions as a condition of the dispensation for Henrietta Maria's marriage, 307; orders the Nuncio at Paris to use the dispensation, 325; sends his nephew to Paris to mediate between France and Spain, 327, refuses to give men and money to Charles unless he will become a Catholic, ix. 175
 Usher, James (*Bishop of Meath*, 1620; *Archbishop of Armagh*, 1624), preaches at St. Margaret's, iv. 29, recommends Sibbes for the Provostship of Trinity College, Dublin, vii. 161; preaches at Falkland's arrival, viii. 10; is a member of the committee of investigation into the case of the Byrnes, 24; his part in the amendment of the English Canons, 53; supports Wentworth and Laud, 54; carries a message from Strafford to Laud, ix. 368; draws up a scheme of modified episcopacy, 387
 Utrecht, Alexander Leighton at, vii. 144
 Uvedale, Sir William, announces that payment of the London loan has been stopped, ix. 294
 Uzeda, Duke of, supplants Lerma, iii. 278

VAI

VAISON, Bishop of. *See* Chisholm
 Valaresso, Alvise, mediates between Buckingham and Pembroke, v. 179
 Valentine, Benjamin, holds the Speaker down in his chair, vii. 68, having been imprisoned, refuses to answer questions on his Parliamentary action, 80, applies for a *Habeas corpus*, 90; is not produced in Court, 95, information in the King's Bench against, 111, is transferred to the Marshalsea, 115; argument in the King's Bench against, *ib.*, fine imposed on, 119; remains in prison till the meeting of the Short Parliament, 228, release of, ix. 87
 Valtelline, the, insurrection and massacre in, iii. 387, is occupied by Spanish troops, v. 219; league between France, Venice, and Savoy for the recovery of, 265, completion of the French preparations for the conquest of, 275; French success in, *ib.*
 Vane, Henry, lands at Boston, viii. 172; early life of, 173; is elected Governor of Massachusetts, *ib.*, sides with Mrs. Hutchinson against Winthrop, and fails to secure his re-election, 175; argues in favour of liberty of speech and thought, *ib.*; returns to England, 177; becomes Joint-Treasurer of the Navy, ix. 87. *See* Vane, Sir Henry, the younger
 Vane, Sir Henry, declares the liberties of Parliament to be inherited, iv. 257; is sent to the Hague to consult the Dutch on the Spanish offers of peace, vii. 101, is to return to the Hague to persuade the Dutch to accept Charles's arbitration, 108; fails to persuade the Prince of Orange to make peace with Spain, 170; is sent again to the Hague to urge the Dutch to accept Charles's arbitration, 173; is sent to open a negotiation with Gustavus, 188; meets with a rebuff from Gustavus, 189; is recalled, 205; hesitates to vote for war with Scotland, viii. 350; becomes Secretary, ix. 87; announces to the Commons that a refusal of supply will be followed by a dissolution, 112; demands twelve subsidies, 113; declares that the King will not be content with less, 115; assures the King that the Commons will not grant a penny, 117; argues for a defensive war with Scotland, 120, is sent into the City to induce the citizens to lend, 174; calls on the Council to remedy the disasters in the North, 197; reports an improvement in the state of the army, 201; is said to have persuaded Charles to send for Strafford, 221; his notes of Strafford's speeches in the Committee of Eight copied by his son, 229; speaks of the London petitioners as Brownists, 243; declares that the Irish army should be kept on foot till the Scottish army is disbanded, 255; is examined on Strafford's words about bringing over the Irish army, 320; tells the Commons the story of his notes, 328; joins the King

VER

in Scotland, x. 3; is dismissed from the Secretaryship, 94
 Vane, Sir Henry, the younger, takes a copy of his father's notes of Strafford's speeches in the Committee of Eight, ix. 229; tells the Commons how he had found the notes, 328, passes on the Root-and-Branch Bill to Hazlegrave, 381, proposes a scheme for the government of the Church, 390; his scheme rejected by the Commons, 407; is a member of the Committee of Defence, x. 2, moves for a committee on a present supply for Ireland, 69
 Vanguard, the. *See* Rochelle, English ships lent for service against
 Va-sall, Samuel, refuses to pay an imposition on currants, vii. 167; the Court of Exchequer orders the sale of the currants of, 168
 Vaux, Lord, 1595 (Edward Vaux), levies English troops for the Spanish service, iv. 305
 Velada, the Marquis of, is appointed Spanish ambassador to England, ix. 89, arrives in England to negotiate an alliance, 131
 Velasco, Alonzo de (*Spanish ambassador in England*), proposes that the Prince of Wales shall marry the Infanta Anne, ii. 138
 Velutelli, Acerbo, receives a monopoly of currants and oil, ii. 1
 Venice, the Bedmar conspiracy at, iii. 287; Wake's mission to, v. 174, 248, its league with France for the recovery of the Valtelline, 265
 Venloo is taken by Frederick Henry, vii. 209
 Venn, John, is charged with sending for armed citizens, x. 86
 Verdugo, occupies Frankenthal, v. 74
 Vere of Tilbury, Lord, 1625-1635 (Horace Vere), commands an English regiment in the Dutch service, vii. 316. *See* Vere, Sir Horace
 Vere, Sir Francis, commands the English force at Ostend, i. 102
 Vere, Sir Horace, is appointed to command the volunteers for the Palatinate, iii. 358; finds the payment for his troops come in slowly, 364; sets out for the Palatinate, 365; commands Frederick's forces in the Lower Palatinate, and quarters his men on the bishopric of Spire, iv. 214; informs James that Mansfeld does not wish for a truce, 303; has no hope of being able to defend the Palatinate, 320; holds out with difficulty at Mannheim, 367; returns to England, 409, is a member of the Council of War, v. 223. *See* Lord Vere of Tilbury
 Vermuyden, Cornelius, drains Hatfield Chase, viii. 292; sells his interest in Hatfield Chase, 293; enters into a contract to drain the Great Level of the Fens, 295
 Verney, Edmund, gives an account of the taking of Trim, x. 175

VER

- verney, Sir Edmund, strikes Ballard, the Jesuit, v. 102; is ordered to leave Madrid, 103; approves of the letter written by the Covenanters to Essex, ix. 12; writes despondently of the state of the King's army on the Borders, 15; writes that the King is betrayed, 29; is entrusted with the charge of the Royal Standard, x. 219
- Verney, Sir Francis, joins the Barbary pirates, iii. 65; captures English vessels, 67
- Verney, Sir Ralph, does not wish for peace without the liberties of the subject, x. 201
- Verryken, the Audiencer, takes part in the conferences for a peace between England and Spain, 1. 208
- Versellum introduces an improved process for making glass, iv. 8
- Vestarian controversy, the, 1. 18
- Vicars, John, peculiar opinions of, vii. 253; is removed from his ministry by the High Commission, 254
- Vienna, is attacked by Thurn, iii. 302; the besiegers driven from before, 304; is attacked by Bethlen Gabor, 320
- Vieuville, La, Marquis of, becomes chief minister of Louis XIII. v. 216; informs Carlisle that he will be contented if the marriage treaty contains enough about the English Catholics to satisfy the Pope, 252; asks James to write a letter if he will not sign an engagement, 253; acceptance by James of the proposal made by, 254; is dismissed, 255
- Villa Mediana, Count of (Juan de Taxis), brings letters from the King of Spain, i. 207; is appointed ambassador to England, 208; receives instructions on the proposed marriage of the Prince, 220
- Ville-aux-clercs, M. de, is sent to England to receive James's oath to his engagement in favour of the Catholics, v. 276; obtains the ratification of the treaty, 277; is commissioned to persuade James to allow Mansfeld to relieve Breda, 280; converses with Buckingham on the employment of Mansfeld in Holland, 281; gives an opinion on Charles's character, 317; remonstrates with Charles on his treatment of the Catholics, 377
- Villiers, Christopher, attempts made to procure a wife for, iii. 295; has a pension out of the monopoly of gold and silver thread, iv. 13; receives payment from the commissioners for alehouses, 22; is charged with sharing the profits of the commission for alehouses, iv. 42; abandonment of the charge against, 116; Elizabeth Norris refuses to marry, 276; is created Earl of Angelsea, v. 54
- Villiers, Eleanor, is seduced by Henry Jermyn, vii. 339
- Villiers, George, early life of, ii. 317; comes to Court, 318; is made a cupbearer, 319; is favoured by Somerset's enemies, 322; is made a Gentleman of the Bed-chamber and knighted, 323. *See* Villiers, Sir

VOR

- George; Villiers, Viscount; Buckingham, Earl of; Buckingham, Marquis of; Buckingham, Duke of
- Villiers, Lady, birth and marriage of, ii. 317; brings up her son with a view of introducing him at Court, 318; marries Sir Thomas Compton, iii. 87. *See* Compton, Lady
- Villiers, Sir Edward, is sent on a mission to Germany, iii. 386; takes part in the monopoly for gold and silver thread, iv. 12; urges Yelverton to commit some silk-mercers, 17; profits accruing to, 71; is allowed to take his seat in Parliament, 116; expostulates with Frederick, 178; advises Frederick to go to the Palatinate, 181; is sent to obtain from Frederick a promise that he will submit to the Emperor, 221; asks the Commons to avert a dissolution by desisting from their attack on Buckingham, v. 432
- Villiers, Sir George, the elder, story of the appearance of the ghost of, vi. 348
- Villiers, Sir George, becomes Master of the Horse, ii. 369; supports Raleigh's petition to go to Guiana, 381; becomes a Knight of the Garter, iii. 27; Bacon's advice to, 28; is created a viscount, 30. *See* Villiers, Viscount; Villiers, George; Villiers, Sir George; Buckingham, Earl of; Buckingham, Marquis of; Buckingham, Duke of
- Villiers, Sir John, wishes to marry Frances Coke, iii. 87; marriage of, 98; is raised to the peerage, 297. *See* Purbeck, Viscount
- Villiers, Viscount, 1616-1617 (George Villiers), grant of lands to, iii. 30; induces Roper to surrender his office, 33; favours the Spanish marriage, 37; becomes Earl of Buckingham, 58. *See* Villiers, George; Villiers, Sir George; Buckingham, Earl of; Buckingham, Marquis of; Buckingham, Duke of
- Vintners, the Company of, their dispute with the French merchants referred to Bacon's arbitration, iv. 98; Star Chamber proceedings against, viii. 286; imposition laid on, 287
- Virginia, early attempts to colonise, ii. 50; first charter of, 51; colony sent to, 54; second charter of, 59; Lord De la Warr Governor of, *ib.*; improved condition of, 62; Sir T. Dale Governor of, iii. 156; Yearley Governor of, 158; introduction of the cultivation of tobacco into, *ib.*; Argall Governor of, 159; Lord De la Warr is re-appointed Governor of, *ib.*; Yearley re-appointed Governor of, 160; the first colonial Parliament in, 162; proceedings of the Company of, *ib.*; patent granted for the colonisation of New England by the Company of, iv. 156; Irishmen transported to, viii. 5
- Virginia Company, the, is defended by Nicholas Ferrar, vii. 263
- Vorstius, Conrad, James's controversy with, ii. 128

VOX

Vox Populi, the, written by Thomas Scot, iii. 392

WAAD, Sir William, conducts Raleigh from the Tower to Winchester, i. 123, is dismissed from the Lieutenantancy of the Tower, ii. 179

Wake, Sir Isaac, is sent to warn the Duke of Savoy against ambitious designs in Germany, iii. 292, is sent to gain Savoy and Venice for the alliance for the recovery of the Palatinate, v. 173, 248, proposes co-operation with the Duke of Savoy against Genoa, 301; proposes a joint action between England and France in Germany, 197; death of, 200

Wales, complaint against the jurisdiction of the Council of, ii. 86

Wallenstein, Albrecht (*Duke of Friedland*) collects an army and defeats Mansfeld at the Bridge of Dessau, vi. 139; follows him into Hungary, 165; returns to North Germany, 16; defeats the Danes, and drives Christian IV from his Continental possessions, 186, position in Germany of, after his repulse at Stralsund, vii. 97; dismissal of, 174; is recalled to his command, and opposes Gustavus at Nuremberg, 205; is defeated at Lützen, 207, disputes with the Spanish commanders, 348, assassination of, 353

Waller, Edmund, attacks Cosin, vii. 56; wishes the Londoners' petition against episcopacy not to be referred to a committee, iv. 281; asks what are the fundamental laws, 336; declares that the Additional Instruction is a declaration that the House is absolved from its duty, x. 55

Wallingford House, is sold to Buckingham, iv. 279

Wallingford, Viscount, 1616-1632 (William Knollys), is forced to surrender the Mastership of the Wards, iii. 195, asks for a public sentence upon Bacon, iv. 94; sells his house to Buckingham, 279; becomes Earl of Banbury, vi. 133. *See* Banbury, Earl of

Walter, Sir John (*Chief Baron of the Exchequer*, 1625-1630), high legal attainments of, iii. 81; is selected as the popular candidate for the Recordership, 219, asks that Floyd's property may be confiscated, iv. 121; character of, vi. 87, is consulted on the case against the imprisoned members of Parliament, 88; is asked to resign his place as Chief Baron of the Exchequer, 112; is suspended, 113

Waltham, Forest of, the King's claim to the extension of the boundaries of, vii. 365; enforcement of the extension of the boundaries of, viii. 77

Wandesford, Christopher, charges Buckingham with administering physic to James on his death-bed, vi. 102. *See* Wandesford, Sir Christopher

Wandesford, Sir Christopher, becomes

WED

Master of the Rolls in Ireland, viii. 37; asks the Irish Parliament for six subsidies, 50, becomes Lord Deputy of Ireland, and expresses his grief at Strafford's illness, ix. 139, hopes that the army will be ready in spite of the alteration of the rating of the subsidies, 156, death of, x. 44

Ward, Captain, joins the Barbary pirates, iii. 65, story of his achievements, 66

Ward, Samuel, of Ipswich, is imprisoned for a caricature which is offensive to Gondomar, iv. 118; complains of Montague, v. 353; conduct of, in the early years of Charles's reign, viii. 118; is sentenced by the High Commission, 119

Ward, William, execution of, ix. 411

Wardship, discussed in 1604, i. 171, 174. *See* Contract, the Great

Ware, removal of the communion-table at, vii. 116

Warwick, seizure of guns intended for the defence of the castle of, x. 216; Brooke establishes himself in the castle of, 217

Warwick, Earl of, 1618 (Robert Rich), suggests that the adjacent shires shall combine to defend Harwich, vi. 8; refuses to pay the forced loan, 150; resists the proposed extension of Waltham Forest, vii. 365; his connection with New England, viii. 170; protests against ship-money, 203; takes part in a meeting of the opponents of the Court, 198; signs the petition of the twelve peers, 199; protests against the refusal of the Lords to communicate to the Commons their resolution on Divine service, x. 16; intention of Charles to call as a witness against the five members, 130; Northumberland is asked to give the command of the fleet to, 176; Charles forbids the appointment of, 185; fetches the munitions from Hull, 196; is appointed by Parliament to the command of the fleet in the Downs, 208; secures the obedience of the fleet, 209

Warwickshire, demand of ship-money made in, vi. 227; Northampton intends to execute the commission of array in, x. 211; Northampton stops Brooke's guns in, 216

Washington, Henry, sends for a Jesuit on his death-bed, v. 102

Waterford, Bibles and Prayer-books burnt at, i. 368; is threatened for electing recusant magistrates, viii. 7, forfeiture of the charter of, and attempt to introduce Bristol merchants into, 8; refusal of the Bristol merchants to settle in, 9; restoration of the charter of, 12; St. Leger retires to, x. 116

Watson, William, obtains promises from James, i. 108; forms a plot, 109; is convicted of treason, 138; is executed, 139

Wedderburn, James (*Bishop of Dunblane*, 1636), approves of the introduction of the English Prayer-book into Scotland,

WEI

- vii. 290; suggests alterations in the Scottish Prayer-book, viii. 311
- Weiss, Captain, sent by Mansfeld to the conference at Brussels, iv. 322
- Wellington (Somerset), murder of Lieutenant Eure at, ix. 172
- Wells, Hertford obliged to retreat from, x. 217
- Wemyss, Earl of, 1633 (John Wemyss), saves the Bishop of Edinburgh after the tumult at St. Giles', viii. 315
- Wentworth, Lord, 1628 (Thomas Wentworth), his alleged apostasy discussed, vi. 335; has a promise of the presidency of the Council of the North, 337, causes which estranged him from the House of Commons, 338; is created a viscount, vii. 24. *See* Wentworth, Sir Thomas; Wentworth, Viscount, Strafford, Earl of
- Wentworth, Sir George, says that the commonwealth will not be well till it is conquered, ix. 319
- Wentworth, Sir John, fined and imprisoned by the Star Chamber, ii. 342
- Wentworth, Sir Peter, finds it difficult to levy ship-money as sheriff of Oxfordshire, viii. 93; is compelled to make the assessment in person, 102
- Wentworth, Sir Thomas, is elected to the Parliament of 1614, ii. 231; political opinions of, iv. 238; proposes an adjournment of the debate on supply for the Palatinate, 239, recommends an immediate grant, 240; declares the liberties of Parliament to be its inheritance, 257; supports Mallory's motion for an adjournment, v. 340; disputed election of, 349; contrast between Eliot and, 350; his election declared void, 351; is re-elected by Yorkshire, 426; declares that the House is not bound by the engagement of a former Parliament, 427; refuses to yield to the threat of a dissolution, 432, is made sheriff to prevent his appearance in Parliament, and is spoken of by Charles as an honest gentleman, vi. 33; is dismissed from the justiceship of the peace, 126; his desire of reform, and love of power, *ib.*; character of his opposition to Buckingham, 127; asks for the presidency of the Council of the North, and has an interview with Buckingham, 128; the office of *Custos Rotulorum* taken from, 129; probable reason of the dismissal of, 130; refuses to pay the forced loan, 157; is placed in confinement, 158; is of opinion that the rights of subjects must be vindicated, 231; declares it to be necessary to stop the encroachments of the Government, 235; comparison between him and Eliot, 236; is the originator of the substance of the Petition of Right, 237; supports Coke against Shilton, 243; proposes an adjournment of the debate on supply, 246; moves for a committee to consider the subject of pressing men for the army, 249; carries a resolu-

WEN

- tion of five subsidies in committee, 250; proposes a Bill for securing the liberties of the subject, 251; proposes a Bill to regulate the quartering of soldiers, 254; asks that the date for the payment of the subsidies may be fixed but not reported, 255; moves for a committee to explain that the House is not intentionally delaying supply, 56; proposes a Bill against committal without cause shown, 262; proposes to accept the King's declaration and to pass a *Habeas Corpus* Bill, 266; constitutional position assigned to the judges by, 267; appeals to the King on behalf of his *Habeas Corpus* Bill, 268; declares that the laws have been violated by the King's ministers, 269; end of his leadership of the Commons in consequence of the rejection of his overtures by Charles, 270; accepts Coke's proposal of a Petition of Right, 274; agrees to the rejection of the Lords' amendment, but wishes to come to an understanding with them rather than vote directly against them, 283; replies to Eliot's attack, 285; fails to obtain support in the Commons, 286; supports a proposal of the Lords for a joint committee on the Petition of Right, 287; advises the Commons to carry their Remonstrance to the King, 305; is created Lord Wentworth, 335. *See* Wentworth, Lord; Wentworth, Viscount, Strafford, Earl of
- Wentworth, Thomas, is a member of the first Parliament of James I., i. 165; proposes to ask the King to reduce his expenditure, ii. 65; takes part in a debate on impositions, 246; is imprisoned, 249
- Wentworth, Viscount, 1628-1640 (Thomas Wentworth), becomes President of the Council of the North, and delivers a speech at York, vii. 24; his view of the ecclesiastical question, and of the co-operation of the people in the work of government, 27; devotes himself actively to the maintenance of the King's authority, vii. 134; strength and weakness of his policy, 135; contrast between his ideas and those of Eliot, 136; regards himself as the maintainer of the old constitution, 137; carries to the King a paper containing Sir Robert Dudley's advice, and becomes a Privy Councillor, 138; becomes intimate with Laud, 152; his conduct as a Privy Councillor, 160; his conduct as President of the Council of the North, 228; influence of residence in the North on the political ideas of, 229; is insulted by Henry Bellasis, *ib.*; death of the wife of, 230; is appointed Lord-Deputy of Ireland, 231; is attacked by Sir David Foulis, *ib.*; summons the sheriffs of Yorkshire before the Council of the North, 232; vindicates the authority of the Council, 233; protests against the acceptance of

WES

Foulis's offer of service, 236; struggle of, against the influences of wealth and position, 237; urges the Star Chamber to show no mercy to Foulis, *ib.*; appeals to the Privy Council to support the jurisdiction of the Council of the North over Sir Thomas Gower, 238; leaves York, having obtained the grant of fuller powers to the Council of the North, 239; married life of, 338; complains that Portland does not answer his letters, 356; becomes Lord-Deputy of Ireland, viii. 28, his qualifications for governing the country, 29; his system of government, 30; needs the support of an army, 31; obtains prolongation of the contribution for a year, 32; intends to see with his own eyes, 33; writes a sharp letter to the Lords Justices, 34, arrives in Dublin, *ib.*; obtains the prolongation of the contribution for another year, 35; his confidence in the power of government, 36; pays the army and reduces it to discipline, 37, his relations with the Irish Council and the King, *ib.*, attempts to dissuade the King from promoting Lorenzo Cary, 38; represses piracy and encourages trade, 39; discourages the Irish cloth manufacture, *ib.*; his remedy for the disorders of the Irish Church, 43; orders the removal of Lady Cork's tomb, and removes the communion-table at Christ Church, 44, his plan for managing the Irish Parliament, 46; his speech at the opening of Parliament, 48; his consistency considered, 49, obtains six subsidies, and asks in vain for an earldom, 50; announces that all the Graces will not be passed into law, 51; obtains the assent of the Irish Convocation to the English articles, 53; attempts to repress nonconformity in Ulster, 54; proposes to bring fresh English colonists into Ireland, 55; visits Connaught, 60; obtains a title for the King in Roscommon, Sligo, and Mayo, 61; puts down the resistance of the Galway jury, 62; bad example set by, in his treatment of the jury, 63; his policy of Thorough, 67; is spoken of as likely to be Lord Treasurer, 68; attacks upon, in the English Court, 183; disregards Laud's warning of the impolicy of provoking enemies, but regrets that he cannot depend on the King, 184; detects Mountnorris's malversations, 185; is authorised to proceed against Mountnorris, 186; brings Mountnorris before a council of war, 187; assures Mountnorris that his life will be spared, 188; reflections on his conduct to Mountnorris, 189; gives an account of his proceedings in Mountnorris's case, 190; visits England, and defends his government of Ireland, 194; his authority established in Ireland, 198; advises the King against going to war for the Palatinate, 211; wishes the King to have

money for a land army, 212; wishes to vindicate the Crown from the conditions and restraints of subjects, 213, compared with Richelieu, 215; meditates between Vermuyden and the inhabitants of Hatfield Chase, 293; is satisfied with the improved condition of Ireland, 351; comments on Prynne's case, 352; wishes Hampden to be whipped into his senses, 353; criticises Antrim's capacity as a leader, *ib.*; sneers at the Covenant, 354; his plan for the reduction of Scotland, *ib.*; wishes Scotland to be governed by the English Council, 355; holds that the safety of the people is the highest law, *ib.*; sends 2,000*l.* to the King for the war against the Scots, 385; reports against Antrim's military capacity, and dissuades Charles from invading Scotland, ix. 8; begs Charles not to fight with an untrained army, 33; sends advice on the way in which the war should be carried on, 34; visits England to carry on his case against Crosby and Mountnorris, 70; alleged manslaughter of Esmond by, *ib.*; takes the Great Seal from Lord Loftus, 71; induces Charles to allow the prosecution of Loftus, 72; becomes Charles's chief counsellor, 73, recommends the calling of a Parliament, 75; takes part in the Councillors' loan, 77; is created Earl of Strafford, 83. *See* Wentworth, Sir Thomas, Wentworth, Lord, Strafford, Earl of

Wesel, meeting of the German Protestants at, ii. 140; Spinola directed to keep possession of, 308; is taken by the Dutch, vii. 170

Westmeath, settlement of, viii. 1

Westminster, proposal to extend the municipal boundaries of, viii. 260; appearance of a well-dressed mob at, demanding Strafford's execution, ix. 349; a rougher mob at, 356; apprentices appear at, to protest against the King's proposed journey to Scotland, 416; Dorset orders his men to fire on a crowd at, x. 86; a guard appointed by a justice of, 97; the bishops insulted by a mob at, 117; attack upon the Abbey by the mob at, 118; the King orders the Law Courts to be removed from, 196

Westminster Abbey, failure of an attempt of a mob upon, x. 118

Westminster Hall, arrangements made for Strafford's trial in, ix. 302

Westmoreland, Earl of, 1628 (Mildmay Fane), is fined for encroachments in Rockingham Forest, viii. 282

Weston (*Baron of the Exchequer*, 1634), his judgment in the ship-money case, viii. 278

Weston, Jerome, defends his father against Eliot's attack, vii. 73; is sent on a mission to France and Italy, 204; is instructed to assure Louis of Charles's readiness to agree to the independence of the Spanish Netherlands, 214; is

WES

- ordered to protest against a partition of the Spanish Netherlands, 215, asks the French Government to support Charles Lewis, 216. *See* Weston, Lord
- Weston, Lady, is a recusant, vi. 361
- Weston, Lord (Jerome Weston), returns to England with Richelieu's terms, vii. 216; intercepts a packet of letters containing one from the Queen, 217, is challenged by Holland, 218. *See* Weston, Jerome
- Weston, Lord, 1628-1633 (Richard Weston), gives its final shape to the Lords' amendment to the Petition of Right, vi. 279; wishes to be sure that his amendment does not alter the Petition, 282; becomes Lord Treasurer, and introduces Wentworth to Charles, 335; warns Charles against erecting a monument to Buckingham, 356; character of, 361; political views of, 362; supports Contarini's negotiation, 366; growing influence of, 371; opposes interference in favour of Denmark, 372, announces that the question of tonnage and poundage is to be left to Parliament, vii. 6; unpopularity of, 29; Eliot proposes to impeach, 71; urges Charles to dissolve Parliament, 77; tells Charles that if he does not make peace with Spain he must summon another Parliament, 104; finds difficulty in supplying the Queen's demands, 107; pays off part of the King's debts, 166; explains away to Coloma the King's hesitation to make peace without obtaining the Palatinate, 172; proposal of Richelieu to come to a good understanding with, 184; intrigues of Chateaufort and De Jars against, 186; Massinger's allusions to, 201; announces Charles's intention to ally himself with Gustavus, 204; assures Richelieu of his wish to see England and France united, 214; talks contemptuously of Spain, 215; is created Earl of Portland, 216; *See* Weston, Sir Richard; Portland, Earl of
- Weston, Richard, is employed to poison Overbury, ii. 180; is accused by Helwys, 332; implicates the Earl and Countess of Somerset in the murder, 333; trial of, 338; execution of, 342
- Weston, Sir Richard, is sent to mediate in Germany, iii. 361; gives advice to the Princes of the Union, 368; witnesses the battle of Prague, 383; recall of, 387; becomes Chancellor of the Exchequer, iv. 228; is sent to Brussels to be present at the conferences on the restitution of the Palatinate, 301; arrives at Brussels, 311, is unable to produce powers from Frederick to treat, 321; presses Spinola for a suspension of arms, 325; tells James of a proposal for the sequestration of places in the Palatinate, 337; continues to ask for a suspension of arms, 338; declares that the King of England will make war upon Mansfeld and

WHI

- Christian if they do not submit to terms of peace, 340; acknowledges that there is no hope of obtaining their submission, 341; again presses for a suspension of arms, 343; is recalled, 345, makes a report of his mission to the Privy Council, 371, votes against war with Spain, v. 178; brings in the report of Buckingham's narrative, 185; gives an account of the King's expenses, 194, urges the Commons to grant supply 411; brings a message from the King urging the Commons to grant immediate supply, 423, demands an immediate supply, vi. 76; charges Eliot with actions committed out of the House, 112; is urged by Charles to find money for the expedition to Rhé, 178, is unable to raise supplies, 179; his eagerness to serve Buckingham, 191; is silent during the debates on supply in the Parliament of 1628, 240; is created a Baron, 258. *See* Weston, Lord; Portland, Earl of
- Weston, Thomas, offers to lend money to the emigrants for New England, iv. 157
- Wexford, mass celebrated at, 1. 369
- Wexford, the county of, state of land tenure in, viii. 1; Chichester proposes a plantation in, 2; resistance of the natives of, 3; difficulty of finding a title for the King to lands in, 4; a plantation carried out in, 5; improved material condition of, 6; rising of the natives of, x. 96
- Weymouth, Captain, visits New England, ii. 51
- Whale fishery, the, rivalry between the English and the Dutch in, ii. 309; Dutch Commissioners authorised to treat about, iii. 172; postponement of the negotiation on, 179
- Wharton, Lady Chancery suits of, iv. 72 offers a bribe to Bacon, 75; the Lords informed of the case of, 78
- Wharton, Lord, 1625 (Philip Wharton), protests against the refusal of the Lords to communicate to the Commons their resolution on Divine service, x. 16; intention of the King to call as a witness against the five members, 130
- Wheatley, Alderman, replaces the communion-table at Grantham in the choir, vii. 17
- Wheelwright, Mr., preaches a violent sermon in favour of Mrs. Hutchinson's opinions, viii. 174
- Whistler, John, proposes to ask the opinion of the Lords on the proposal to send out a fleet, v. 406
- White, Dr., persuades the townsmen of Wexford to resist Mountjoy, i. 369; argues with Mountjoy, 370
- White, Dr. Francis (*Chaplain to James I.*), holds conferences with Fisher, 280
- White Hill, the, battle on, iii. 383
- Whitehall, rebuilding of the banqueting-house at, iii. 297; performance of the Inns of Court masque at, vii. 331; panic at, when the mob arrives to cry out for

WHI

- justice on Strafford, ix. 364; affray between Cavaliers and citizens in front of, x. 121; Charles orders a guard to be posted at the gate of, 122
- Whitelocke, Bulstrode, takes part in the arrangements for the Inns of Court masque, vii. 330; brings forward the charge against Strafford of advising the King to bring over the Irish army, ix. 318; argues in support of Vane's evidence, 322
- Whitelocke, James, takes part in the debate on impositions, ii. 81; argues against a commission for inquiring into the state of the navy, 188; is imprisoned, 189; is censured in the Star Chamber, 191; pays a small sum to the benevolence, 265; abandons his share in Roper's office, iii. 32; is a candidate for the Recordship of London, 216. *See* Whitelocke, Sir James
- Whitelocke, Sir James (*Justice of the King's Bench*, 1624-1632), is on the Bench at the hearing of the five knights' case, vi. 216; position of the communion-table in the chapel built by him at Fawley, vii. 46; is satisfied with the arrangements in Durham Cathedral, *ib.*; has an interview with the King, 110; pronounces the judgment of the King's Bench on the exemption of Eliot, Holles, and Valentine from the jurisdiction of the court, 117
- Whitgift, John (*Archbishop of Canterbury*, 1583-1604), argues against Cartwright, i. 27; becomes Archbishop of Canterbury, 33; death of, 159
- Wicklow, made into shire-ground, i. 406; loyal feeling in, *ib.*; rising of the natives of, x. 96; cruelty of Coote in, 114
- Widdowes, Giles, writes in defence of bowing in church, vii. 247
- Wiesloch, combat at, iv. 320
- Wightman, Edward, convicted of heresy, ii. 128; is burnt, 130
- William of Orange, Prince, rejection of the proposed marriage of, with the Princess Mary, ix. 89; acceptance of the offer of, 244; completion of the treaty for the marriage of, 262; arrives in England, bringing money to Charles, 342; marriage of, 347
- Williams, John (*Bishop of Lincoln*, 1621; *Archbishop of York*, 1641), assists in bringing about Buckingham's marriage, iii. 355; wishes the House of Commons to receive the communion at Westminster, iv. 30; advises Buckingham to throw over the monopolists, 51; is offered the appointment of Lord Keeper, 134; is named as Bishop of Lincoln, 135; receives the Great Seal, *ib.*; objects to the patent confirming the appointment of Arundel as Earl Marshal, 137; supports Laud's appointment to the bishopric of St. David's, 138; refuses to be consecrated by Abbot, 139; opens the proceedings in Parliament after the adjourn-

WIL

ment, 232; advises James to explain that the privileges of Parliament are inherent in the persons of the members, 258; warns the Prince against the dangers of his journey to Spain, v. 9; gives an opinion on the difficulties in the progress of the marriage treaty, 45; sends Toby Matnew to Madrid, 60; suggests that James shall be asked whether he feels conscientious scruples against swearing to the marriage treaty, 65; advises James to accept the treaty, 66; objects to the writing of a letter by James to the judges, restraining them from allowing proceedings against the Catholics, 125; interposes delays in the way of the issue of documents favouring the Catholics, 127; is ordered to set the priests at liberty, 132; votes against war with Spain, 178; informs Charles that he has discovered Carondelet's secret intercourse with the King, 210; gives offence to Buckingham by advising him to abandon the Admiralty, 311; administers the communion to James, 314; explains to Charles that he cannot summon Parliament without delay, 320; speaks at the opening of Parliament, 339; opposes the adjournment of the Houses to Oxford, 373; objects to sealing the pardons of priests, 377; advises Charles to declare that he must deal with the Catholics as he sees fit, 395; pleads against a dissolution, 430; causes of Buckingham's dislike of, vi. 30; is dismissed from the Keepership of the Great Seal, 31; is restored to his seat in Parliament at the instance of the Lords, 231; speaks against the King's right to commit without showing cause, 258; wishes to find a formula which will leave the King a discretionary power in cases of necessity, 277; draws up an amendment to be inserted in the Petition of Right, 278; declares against the clause drawn up by Weston, 281; wishes to be sure that the clause does not alter the petition, 282; says that it is rumoured that the King's first answer to the petition came not from himself, but from the Council, 308; overtures made by the Countess of Buckingham to, 339; gives advice to Buckingham, 340; is asked by the parishioners of Grantham to settle the dispute about the position of the communion-table, vii. 17; gives his decision, 18; predicts that the merchants will not continue to refuse payment of tonnage and poundage, 84; expresses approval of the community at Little Gidding, 264; gives his opinion on the position of the communion-table in a church at Leicester, 309; Star Chamber prosecution of, viii. 251; writes *The Holy Table, Name and Thing*, 253; is sentenced in the Star Chamber to fine and imprisonment, 254; refuses to acknowledge himself guilty, 255; is fined in the Star Chamber on account of letters found at Buck-

WIL

- den**, 390. is set at liberty, and permits the removal of the communion-table at St. Margaret's, ix. 237; pacifies the mob at Whitehall, 364; advises Charles to assent to the Bill of Attainder, 365; recommends Charles to reject the Bill against the Dissolution of Parliament, 367; condoles with Charles on the result of the Bill, 373; elaborates a scheme of Church reform, 387; recommends the King to conciliate Essex and Mandeville, 409; his scheme of Church reform not supported in the House of Lords, *ib.*; is appointed Archbishop of York, x. 41; is insulted by a mob in Palace Yard, 117; places the protest of the bishops in the King's hands, 122; impeachment of, 125; caricatures of, *ib.*
- Williams, Roger**, is banished from Massachusetts, and founds the settlement of Rhode Island, viii. 170
- Willoughby de Eresby, Lord**, 1601-1625 (Robert Bertie), is sent in command of a fleet for the coast of Spain, vi. 133; is driven back by a storm, 142. *See* Lindsey, Earl of
- Willoughby of Parham, Lord**, after 1617 (Francis Willoughby), executes the militia ordinance in Lincolnshire, x. 202
- Willoughby, Sir Francis**, is challenged by Lucius Cary, viii. 255; secures Dublin Castle, x. 53
- Wilmot, Henry**, wishes the army to present a petition in support of the King, ix. 308; has to ask pardon of the House for suggesting that Goring had perjured himself, 385
- Wilmot, Viscount**, 1620-1632 (Charles Wilmot), is appointed to command the troops for the relief of the expedition to Rhé, vi. 191; writes that no arms have been sent, *ib.*; is ordered to ship his men at Plymouth, 192; is called to account by Wentworth, viii. 183. *See* Wilmot, Sir Charles
- Wilmot, Sir Charles**, takes part in the government of Munster, i. 367; secures Limerick, 370. *See* Wilmot, Viscount
- Wilson, Sir Thomas**, acts as a spy on Raleigh, iii. 143
- Wiltshire**, disorderly conduct of the soldiers in, ix. 159
- Wimbledon, Viscount**, 1626-1638 (Edward Cecil), recommends that the soldiers be brought under martial law, vi. 156. *See* Cecil, Sir Edward
- Wimborne**, fraudulent appropriation of the funds of a school at, viii. 120
- Wimpfen, battle of**, iv. 310
- Winchester**, men gathered for the relief of Rhé at, vi. 169; position of the communion-table in the cathedral of, vii. 56
- Winchester, Marquis of**, 1628 (John Paulet), sends 200*l.* to the King for the war against the Scots, viii. 385
- Windebank, Francis**, gains the confidence of his soldiers by convincing them that he is not a Catholic, ix. 173

WIN

- Windebank, Sir Francis**, becomes Secretary of State, vii. 200; is appointed to carry on a negotiation with Nicolalde, 349; is ordered to seize Coke's papers, 359; becomes a Commissioner of the Treasury, 379; quarrel of Laud with, viii. 76; takes Bagge's part in the Star Chamber, 90; character of, 133; negotiates with Panzani, 134; converses with Panzani on the employment of an armed force for the suppression of Puritanism, and on the terms of reunion with Rome, 135; thinks that the reunion will not be effected for a century, 136; assures Panzani that Parliament is not about to be summoned, 137; refuses to change his religion, but informs Panzani that he has the King's orders to treat on the reunion, 138; Juxon attempts to reconcile Laud to, 149; is imprisoned for a short time for sending Spanish money to the Netherlands, 162; proposes to Oñate a secret treaty about the Palatinate, 217; orders Northumberland to explain away the story of Fielding's failure to induce the Dutch fishing-boats to take the King's licences, 220; votes for war with Scotland, 350; is ordered to exaggerate the number of men sent to reinforce the King's army, ix. 17; supports a scheme for forcing the City to lend money, 39; demands money for the protection of Oquendo's fleet, 62; talks like a Catholic to Rossetti, 87; reads the letter from the Scots to Louis in the House of Commons, 99; brings a message from the Queen to Rossetti, asking him to obtain money and men from the Pope, 135; sees no difficulty in collecting an army against the Scots, 164; is accused of favouring the Catholics, and takes to flight, 243
- Windsor**, Charles removes to, x. 155; ammunition sent away from, 156
- Wingfield, Sir Richard**, plunders Innishowen, i. 427; defeats O'Dogherty, 429
- Winniffe, Dr.**, is imprisoned for preaching against Spinola, iv. 305
- Winslow, Edward**, joins the emigrants for New England, iv. 159
- Winter King**, the meaning of the epithet, iii. 317
- Winter, Robert**. *See* Gunpowder Plot
- Winter, Thomas**, is sent into Spain, i. 99, 232. *See* Gunpowder Plot
- Winthrop, John**, early life of, vii. 153; resolves to go to New England, 154; emigrates to New England, 158; refuses to allow the use of the Common Prayer-book, 159; takes part against Mrs. Hutchinson, and is elected Governor of Massachusetts, viii. 175
- Wintour, Sir John**, ordered to give an account of the Catholic contribution, ix. 269
- Winwood, Sir Ralph**, is English member of the Dutch Council of State, i. 207; is employed as an English representative

WIT

- at the conferences of the Hague, ii. 22 ; conducts the negotiation for the disposal of Juliers, 100 , ordered to agree to a treaty with the Union, 140 ; gives a present to Lady Somerset, 212 ; becomes Secretary of State, 232 , asks for a grant of supply, 236 ; takes part in a debate on impositions, 239 , receives information that Overbury had been murdered, 331 , gives his opinion on the preparation for a Parliament, 365 , receives part of the money produced by the sale of a peerage, 393 ; listens to Scarnafissi's plan for an attack on Genoa, iii. 51 ; supports Raleigh in his projects, 53 , is ordered to give to Sarmiento a list of Raleigh's vessels, 56 ; quarrels with Bacon, 89 ; death of, 100 ; Raleigh's charges against, 144.
- Witch of Edmonton, The*, play of, vii. 323
- Witchcraft, persistency of the belief in, vii. 322
- Wither, George, moral theories of, viii. 250
- Wittstock, Swedish victory at, viii. 163
- Witty Fair One, The*, Shirley's play of, 33
- Womanhood, contrast between Milton's and Massinger's ideal of, vii. 337
- Women, offence given by the preaching of, ix. 394 ; crowd of, in Palace Yard, x. 162 ; petition of the, 163
- Worcester, Earl of, 1580-1628 (Edward Somerset), becomes a Commissioner of the Treasury, ii. 145 ; appointed Lord Privy Seal, 369 ; appointed a commissioner to examine Raleigh, iii. 141 ; death of, vi. 335
- Worcester, Earl of, 1628 (Henry Somerset), alleged warlike preparations of, ix. 270 ; report of a committee on the conduct of, 289 ; assists the King with money, x. 207
- Worcestershire, preparations to execute the commission of array in, x. 210
- Workman, John, preaches Puritan sermons, viii. 112
- Wortley, Sir Francis, presents a petition to the King against the removal of the munitions from Hull, x. 191 ; repudiation of the petition presented by, 193
- Wotton, Lord, 1604-1630 (Thomas Wotton), becomes a Commissioner of the Treasury, ii. 145 ; is excluded from Charles's Privy Council, v. 379
- Wotton, Sir Henry, is a candidate for the Secretaryship after Salisbury's death, ii. 146 ; takes part in a debate on impositions, 239 ; is sent on an embassy to the Hague, 307 ; is sent as ambassador to Venice, 396 ; is ordered to mediate at Vienna, iii. 361 ; failure of the mediation of, 363 ; goes on to Venice, 387
- Wray, Edward, is proposed as a husband for Elizabeth Norr. i. 38 ; marries her, 276
- Wray, Sir John, says that he smells gunpowder in the House, ix. 359

YOR

- Wren, Matthew (*Bishop of Hereford, 1634, of Norwich, 1635, of Ely, 1638*), sent to Spain as the Prince's chaplain, v. 36 , his opinion on unity and uniformity, viii. 224 , is attacked by Prynne in *News from Ipswich*, 226 ; takes part in the revision of the Scottish Prayer-book, 309 , becomes Bishop of Ely, ix. 80 ; impeachment of, 407
- Wright, Alderman, chosen Lord Mayor, ix. 214
- Wright, Christopher. See Gunpowder Plot
- Wright, John. See Gunpowder Plot
- Wurtemberg, Duke of (John Frederick), offers to mediate between Frederick and the Emperor, iv. 375
- Wych, Sir Peter, signs the protestation of the peers at York, x. 205
- Wyville, Mr., compounds for his knighthood fine, vii. 232
- XANTEN, the Treaty of, ii. 307 ; refusal of the Dutch to execute, 397
- YARMOUTH, Great, Brent's report of the metropolitical visitation of, viii. 109 ; salt-works at, 285 ; Hamilton's troops at, i. 10
- Yeardley, Sir George, is twice Governor of Virginia, iii. 158, 160
- Yelverton, Henry, compares the King's command to the roaring of a lion, i. 169 ; takes part in the debate on impositions, ii. 80 ; becomes Solicitor-General, 208. See Yelverton, Sir Henry
- Yelverton, Sir Henry, opposition of Buckingham to his appointment as Attorney-General, iii. 79 ; becomes Attorney-General, 80 ; appears against Coke before the Council, 93 ; pleads Bacon's cause with Buckingham, 96 ; supports the patent for gold and silver thread, iv. 12 ; gives his opinion that the patent is not a monopoly, 14 ; commits silk-mercers to the Fleet, 17 ; disgrace of, 22 ; assures the Lords that he has been unjustly punished, 111 ; attacks Buckingham, 112 ; debate in the Lords on the case of, 114 ; sentence on, 115 ; conduct of, as a judge of assize, when Smart brings an action against the prebendaries of Durham, vii. 129
- York, Wentworth's speech at, vii. 24 ; arrival of Charles at, ix. 7 ; the Great Council meets at, 207 ; Charles finds a qualified support at, 178 ; arrival of Parliamentary Commissioners at, 195 ; the King orders the law courts to be removed to, 196 ; arrival of noblemen and gentlemen at, 204 ; protestation of the peers at, 204
- York, Duke of. See Charles, Duke of York ; James, Duke of York
- York House, negotiations for the sale of, iv. 277 ; Buckingham entertains Bassompierre at, vi. 145
- Yorkshire, payment of the forced loan in,

YOU

- vi. 158; a petition against the violence of the soldiers presented by the gentlemen of, ix. 177, unwillingness to resist the Scots displayed in, 185; offer of the gentlemen of, 190, appearance at York of the trained bands of, 200; offer of the gentlemen to pay the trained bands of, 204; Charles asked to come to terms with his Parliament by the gentry of, 185; Wortley presents a petition from some gentlemen of, 191, repudiation of Wortley's petition in, 193; a Parliamentary Committee sent to, 194; Charles orders a guard from the gentry of, and sends for a regiment of the trained bands of, 195, meeting at Heyworth Moor of the freeholders and farmers of, 199
- Young, John (*Dean of Winchester*, 1616), takes part in the revision of a Scottish Prayer-book, vii. 287
- Young, Thomas, is one of the authors of the pamphlet issued under the name of *Smectynimus*, ix. 390
- ZAPATA, Cardinal, accompanies Prince Charles to Santander, v. 116
- Zouch, Lord, 1571-1625 (Edward la Zouch), becomes a Commissioner of the Treasury, ii. 145; becomes Lord Warden of the

ZWE

- Cinque Ports, 327; is absent from the Council when the oath is taken to the Spanish marriage treaty, v. 69, surrenders the Wardenship of the Cinque Ports to Buckingham, 320
- Zouch, Sir Edward, his patent for the manufacture of glass, iv. 9
- Zorzi, Zuane, forwards to Contarini a project for a treaty between France and England, vi. 345; proposal to employ him in the negotiation, 346
- Zuñiga, Balthazar de, becomes the chief minister of Philip IV., iv. 190; opposes the transference of the Electorate to Maximilian, 220; his plan for conferring the Palatinate on Frederick's son adopted by the Spanish Council of State, 329, assures Fra Hyacintho that the King of Spain will not object to the transference of the Electorate, if Spain is not implicated, 330; policy of, 331, differs from the Council of State, 332, is appointed a commissioner for the marriage treaty, 373; death of, 377
- Zuñiga, Pedro de, is asked to communicate with the Pope, ii. 23; his mission to England, 151
- Zweibrucken, Duke of, is Administrator of the Palatinate, iii. 370; urges Vere to action, iv. 214

THE END.

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